**Order Type:** 

Findings Agreed Order

**Findings Order Justification:** 

Unauthorized emissions which are excessive emissions events.

Media:

AIR

**Small Business:** 

No

Location(s) Where Violation(s) Occurred:

Chocolate Bayou Plant, Farm-to-Market Road 2004, two miles south of the intersection of Farm-to-Market Road 2017 and Farm-to-Market Road 2004, Alvin, Brazoria County

Type of Operation:

Petrochemical plant

Other Significant Matters:

Additional Pending Enforcement Actions: Yes, Docket Nos. 2007-1279-AIR-E, 2008-

1816-AIR-E, 2010-1421-AIR-E, and 2011-0614-AIR-E.

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: June 17, 2011

Comments Received: No

Penalty Information

Total Penalty Assessed: \$59,520

Amount Deferred for Expedited Settlement: \$0 Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$59,520

Total Due to General Revenue: \$0

Payment Plan: N/A **SEP Conditional Offset:** \$0

Name of SEP: N/A

**Compliance History Classifications:** 

Person/CN - Average Site/RN - Average

Major Source: Yes

Statutory Maximum Limit Adjustment: \$135,400

Applicable Penalty Policy: September 2002

## Investigation Information

Complaint Date(s): N/A Complaint Information: N/A

Date(s) of Investigation: October 22 through November 5, 2010; October 27 through November 10, 2010; November 10 through 19, 2010; November 10, 2010;

December 9, 2010; October 27, 2010

Date(s) of NOE(s): January 4, 5, 12, 14, 2011 and February 1, 2011

## Violation Information

- 1. Failed to prevent unauthorized emissions. The Respondent failed to prevent low oil differential pressure on Compressor C-201, which resulted in a compressor trip and unauthorized emissions in the Olefins No. 1 Unit on September 29, 2010. During an emissions event (Incident No. 145451), lasting five hours and 20 minutes, the following unauthorized emissions were released from the Olefins 1 Flare: 4,128 pounds ("lbs") of volatile organic compounds including 1,657 lbs of ethylene and 500 lbs of propylene, 3,869 lbs of carbon monoxide ("CO"), and 759 lbs of nitrogen oxides ("NOx"). Because the event could have been avoided by better operating or maintenance practices, the Respondent did not meet the affirmative defense in 30 Tex. Admin. Code § 101.222 [30 Tex. Admin. Code §§ 101.20(3) and 116.715(a); Flexible Permit Nos. 95 and PSD-TX-854M2, Special Condition No. ("SC") 1; and Tex. Health & Safety Code § 382.085(b)].
- 2. Failed to prevent unauthorized emissions. The Respondent failed to prevent air from entering a cracked gas header resulting in unauthorized emissions in the Olefins No. 1 Unit on October 7, 2010. During an emissions event (Incident No. 145798), lasting four hours, the following unauthorized emissions were released from the Olefins 1 Flare: 3,345 lbs of CO, 4,616 lbs of ethylene, and 657 lbs of NOx. Because the event could have been avoided by better operating practices, the Respondent did not meet the affirmative defense in 30 Tex. Admin. Code § 101.222 [30 Tex. Admin. Code §§ 101.20(3) and 116.715(a); Flexible Permit Nos. 95 and PSD-TX-854M2, SC 1; and Tex. Health & Safety Code § 382.085(b)].
- 3. Failed to prevent unauthorized emissions. Upon startup, the Respondent failed to reopen the isolation valve on one of the two ports of the Buffer Gas Flowmeter for the C-201 Cracked Gas Compressor which resulted in erroneously high readings and unauthorized emissions in the Olefins No. 1 Unit on October 9, 2010. During the emissions event (Incident No. 145856), lasting 11 hours, the following unauthorized emissions were released from the Olefins 1 Flare: 17,501 lbs of CO, 14,849 lbs of ethylene, 699 lbs of propylene, and 3,435 lbs of NOx. Because the event could have been avoided by better operating practices, the Respondent did not meet the affirmative defense in 30 Tex. Admin. Code § 101.222 [30 Tex. Admin. Code §§ 101.20(3) and 116.715(a); Flexible Permit Nos. 95 and PSD-TX-854M2, SC 1; and Tex. Health & Safety Code § 382.085(b)].

- 4. Failed to prevent unauthorized emissions. The Respondent failed to prevent an onsite contractor from miscoding a selector switch in the Acetylene Converter interlock system, resulting in the tripping of the Olefins No. 2 Unit on October 13, 2010. During the emissions event (Incident No. 146027), lasting 16 hours, the following unauthorized emissions were released from the Olefins 2 Flare: 15,748 lbs of CO, 16,299 lbs of ethylene, and 3,091 lbs of NOx. Because the event could have been avoided by better operating practices, the Respondent did not meet the affirmative defense in 30 Tex. ADMIN. CODE § 101.222 [30 Tex. ADMIN. CODE §§ 101.20(3) and 116.715(a), Flexible Permit Nos. 95 and PSD-TX-854M2 SC 1, and Tex. Health & Safety Code § 382.085(b)].
- 5. Failed to conduct the initial performance tests on the Olefins 1 and 2 Flares when they became subject to 40 Code of Federal Regulations ("C.F.R.") Part 63, Subpart FFFF regulations on May 10, 2008. Although the flares had been stack tested in 2000, it was determined that the 2000 tests reports were not adequate to determine compliance with the 2008 rules [30 Tex. Admin. Code §§ 101.20(2), 101.20(3), 116.715(a), and 122.143(4); Flexible Permit Nos. 95 and PSD-TX-854M2, SC 8; Federal Operating Permit O-02327, Special Terms and Conditions 1.A. and 18.A.; 40 C.F.R. § 63.987(b)(1); and Tex. Health & Safety Code § 382.085(b)].
- 6. Failed to prevent unauthorized emissions. The Respondent failed to prevent air from entering a cracked gas header due to operator error resulting in unauthorized emissions in the Olefins Nos. 1 and 2 Units on October 10, 2010. During an emissions event (Incident No. 145871), lasting 18 hours, the following unauthorized emissions were released from the Olefins 1 and 2 Flares: 41,093 lbs of ethylene, 48,069 lbs of CO, and 9,433 lbs of NOx. The event was due to the board operator failing to open a motor operated valve during the startup of Furnace DB-104. Air entered the cracked gas stream through the furnace, resulting in a temperature increase in the OL 1 DR-202 Acetylene reactor causing the automatic shutdown of the reactor and flaring of off-specification ethylene. The event was determined to be excessive [30 Tex. Admin. Code §§ 101.20(3) and 116.715(a); Flexible Permit Nos. 95 and PSD-TX-854M2, SC 1; and Tex. Health & Safety Code § 382.085(b)].

## Corrective Actions/Technical Requirements

## Corrective Action(s) Completed:

The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:

- a. To prevent the recurrence of the September 29, 2010 emissions event (Incident No. 145451), the following were completed by December 1, 2010:
- i. Sent Valve DPV-2215 for evaluation and testing during the DC-201 seal repair;

- ii. Lowered the first stage oil seal differential trip point from 20 pounds per square inch gauge ("psig") to 12 psig to enable more room for differential pressure swings; and
- iii. Checked control valve DFCB210 to ensure it stroked properly during the DC-201 seal repair.
- b. To prevent the recurrence of the October 7, 2010 emissions event (Incident No. 145798), DB-104 Isolation and Blind List was corrected on November 15, 2010;
- c. To prevent the recurrence of the October 9, 2010 emissions event (Incident No. 145856), the following were completed on February 10, 2011:
- i. Installed a visual aid on the buffer gas meter to illustrate the minimum and maximum operating conditions; and
- ii. Updated the Standard Operating Procedures for C-201 to include the normal operating conditions on the seal oil and buffer gas systems.
- d. To prevent the recurrence of the October 13, 2010 emissions event (Incident No. 146027), completed modifying the inlet temperature override controls to employ a "push" cascade structure and completed looking for other Distributed Control System points with the same function to ensure that the initialization flag is transmitted properly on January 13, 2011.

## **Technical Requirements:**

The Order will require the Respondent to:

- a. For the October 9, 2010 emissions event (Incident No. 145856) to prevent recurrence of a similar emissions event:
- i. Within 30 days, complete training that details the interaction between the buffer gas system and seal oil shutdown; and
- ii. Within 45 days, submit written certification demonstrating compliance with Ordering Provision a.i.
- b. For failing to conduct the initial performance tests on the Olefins 1 and 2 Flares:
- i. Within 45 days, conduct the initial performance tests on the Olefins 1 and 2 Flares; and

- ii. Within 90 days, submit copies of the performance tests on the Olefins 1 and 2 Flares.
- c. For the October 10, 2010 excessive emissions event (Incident No. 145871) to prevent recurrence of a similar emissions event:
- i. Comply with the TCEQ request dated February 1, 2011 for submittal of a corrective action plan ("CAP") to address this excessive emissions event;
- ii. Respond completely and adequately, as determined by the Executive Director, to all written requests for information concerning the submitted CAP in connection with the excessive emission events within 15 days after the date of such requests, or by any other deadline specified in writing;
- iii. Upon Commission approval, implement the CAP in accordance with the approved schedule; and
- iv. Within 15 days upon completion of the CAP implementation, submit written certification demonstrating compliance with Ordering Provisions c.i. though c.iii.

### Litigation Information

Date Petition(s) Filed: N/A Date Answer(s) Filed: N/A SOAH Referral Date: N/A Hearing Date(s): N/A Settlement Date: N/A

## Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Miriam Hall, Enforcement Division,

Enforcement Team 4, MC 149, (512) 239-1044; Laurie Eaves, Enforcement Division,

MC 219, (512) 239-4495

TCEO SEP Coordinator: N/A

Respondent: Theresa Vitek, Environmental, Health, & Safety Manager, INEOS USA

LLC, P.O. Box 1488, Alvin, Texas 77536

David L. Brackett, CBW Site Manager, INEOS USA LLC, P.O. Box 1488, Alvin, Texas

77536

Respondent's Attorney: N/A

		lty Calcul	ation Wo	rksheet (P	•	0.4-1 20. 2000
Policy Revision 2 (Se	ptember 2002)				PCW Revisio	n October 30, 2008
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	INEOS USA LLC					
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PAYABLE PENALTY

\$59,520

Enter Number Here

11

11

Docket No. 2011-0223-AIR-E

Screening Date 2-Feb-2011

Respondent INEOS USA LLC

Case ID No. 41136

Reg. Ent. Reference No. RN100238708

Media [Statute] Air

Component

NOVs

Enf. Coordinator Miriam Hall

Number of...

Other written NOVs

>> Compliance History Summary

Compliance

History

Notes

Policy Revision 2 (September 2002) PCW Revision October 30, 2008

Adjust.

55%

22%

200%

**Compliance History Worksheet** >> Compliance History Site Enhancement (Subtotal 2)

Written notices of violation ("NOVs") with same or similar violations as those in

Any agreed final enforcement orders containing a denial of liability (number of

the current enforcement action (number of NOVs meeting criteria)

	orders meeting criteria )	Supplier substitution of the supplier suppliers	20076	1
Örders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	4	100%	
Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	O <sup>*</sup>	0%	
and Consent Decrees	Any adjudicated final court judgments and default judgments, or non- adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government		0%	
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%	
Emissions	Chronic excessive emissions events (number of events)	Ó	0%	
Avidits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	Marie and the state of the stat	-1%	designation of the second
AUDICA Executados isos especiales	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which</i> violations were disclosed)	0	0%	And the same of th
<u>,</u>	Ple	ease Enter Yes or No	<del></del>	
	Environmental management systems in place for one year or more	No	0%	1
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%	
	Participation in a voluntary pollution reduction program	No	0%	
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%	
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Enhancement for 11 same/similar NOVs, 11 dissimilar NOVs, 10 orders with denial, and four

orders without denial. Reduction for one Notice of Intent to conduct an audit.

Total Adjustment Percentage (Subtotals 2, 3, & 7)

Screening Date	2-Feb-2011	Docket No. 2011	1-0223-AIR-E	PCW
Respondent			•	sion 2 (September 2002)
Case ID No. Reg. Ent. Reference No.			PCW R	evision October 30, 2008
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	through Novemb	er 5, 2010. During an emissions event s and 20 minutes, the following unauti	(Incident No. 145451), hodzed emissions were	
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PCW		Screening Dat
on 2 (September 2002)		Responder
vision October 30, 2008		Case ID No Reg. Ent. Reference No
	0230700	Media (Statute
	n Hall	Enf. Coordinate
ı		Violation Number
	Tex, Admin, Code §§ 101,20(3) and 116,715(a); Flexible Permit Nos. 95 and PSD-TX-854M2, SC 1; and Tex. Health & Safety Code § 382,085(b)	Rule Cite(
	d to prevent air from entering a cracked gas header resulting in unauthorized	
	issions in the Olefins No. 1 Unit on October 7, 2010, as documented during a	
	cord review conducted October 27 through November 10, 2010. During an	
	emissions event (Incident No. 145798), lasting four hours, the following authorized emissions were released from the Olefins 1 Flare: 3,345 lbs of CO,	Violation Description
	16 lbs of ethylene, and 657 lbs of NOx. Because the event could have been	
	led by better operating practices, the Respondent did not meet the affirmative defense in 30 Tex. Admin. Code § 101,222.	
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\$5,000		
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tagement tag	Notes Corrective actions were completed on November 15,  2010, and the NOE was issued on January 5, 2011.	
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\$3,750	Violation Subtotal	
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\$22,550		- William 1
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\$10,000	This violation Final Assessed Penalty (adjusted for limits)	
		and the state of t

#### Economic Benefit Worksheet Respondent INEOS USA LLC Case ID No. 41136 Reg. Ent. Reference No. RN100238708 Percent Interest Depreciation Media Air Violation No. 2 15 Item Cost Date Required Final Date Yrs Interest Saved Onetime Costs EB Amount Item Description No commas or \$ Delayed Costs 0.00 \$0 \$0 \$0 Equipment Buildings 0.00 \$0 \$0 \$0 Other (as needed) 0.00 \$0 \$0 \$0 Engineering/construction 0.00 \$0 \$0 Land 0.00 \$0 n/a \$0 Record Keeping System 0.00 n/a Training/Sampling 0.00 \$0 n/a Remediation/Disposal \$0 0.00 \$0 \$0 Permit Costs 0.00 n/a \$0 7=Oct=2010 15=Nov=2010 -0.11 Other (as needed) n/a The estimated cost of updating standard operating procedures ("SOP") to place the steam trap and Notes for DELAYED costs associated block valves on the DB-104 Furnace Isolation and Blind List from the date of violation to the date that the corrective actions were completed. Avoided Costs ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs) Disposal 0.00 \$0 0.00 \$0 \$0 \$0 Personnel Inspection/Reporting/Sampling 0.00 \$0 \$0 \$0 \$0 Supplies/equipment 0.00 \$0 \$0 Financial Assurance [2] ብ ብበ \$0 \$0 \$በ ONE-TIME avoided costs [3] \$0 0.00 \$0 \$0 Other (as needed) 0.00 \$0 \$0 >>5**\$**0 Notes for AVOIDED costs

TÖTAL

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\$200

Approx. Cost of Compliance

Screening Date		€¥€¥5€ Do	<b>cket No.</b> 2011-0223-AIR-E	<b>EPCW</b>
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Media [Statute		•		
Enf. Coordinato Violation Numbe	· · · · · · · · · · · · · · · · · · ·			
Rule Cite(s	30 Tex. Admin. Coo	le §§ 101.20(3) and 1	16.715(a); Flexible Permit No.	95 and PSD
	Piticologia, Larkost (Kraninosko) ja		iith & Safety Code § 382.085(b tion valve on one of the two po	
	Buffer Gas Flown	neter for the C-201 Cr	acked Gas Compressor which re	esulted in
			zed emissions in the Olefins No an investigation conducted No	
Violation Description	n . through 19, 2010	. During the emission	s event (Incldent No. 145856),	Jasting 11
1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1			ons were released from the Olei e, 699 lbs of propylene, and 3,	
	NOx. Because the	event could have been meet the affirmative of	avolded by better operating p defense in 30 Tex. Admin. Code	ractices, the
	TKCS POTTECTION 1900		JOI CONSTITUTION OF THE STATE O	
			. Ba	ase Penalty \$10,00
>> Environmental, Prope				ATTACA
Release		Harm oderate Minor		
OR Actua			Banant 1000	7
Potentia	л <u>[====================================</u>		Percent 100%	<u>(0)</u>
>> Programmatic Matrix		oderate Minor		
Falsification		oderate Minor	Percent 09	6
En read and control for principal and and an analysis of the control for the c			•	
September 1 and 1			significant emissions which ex	
Notes that are	protective or numan r	nealth or environment	il receptors as a result of this v	lolation
The second secon			Adjustment	\$0
	AN AND AND AND AND AND AND AND AND AND A	>	-	
	W.		Marketine of Professional Confession Confess	
Violation Events				Comment of
Number of	f Violation Events		Number of violatio	on days
	daily =	×		
The state of the s	weekly monthly		•	•
mark only one with an x		Service D. L. La	Violation Ba	ase Penalty \$10,00
	semiannual :		•	•
	single event			
[COMPANION CO. 100]				
One daily	event is recommende	ed for the emissions ev	ent which occurred on October	9, 2010.
			• • • • • • • • • • • • • • • • • • •	
Good Faith Efforts to Con		0.0% Reduction	/Settlement Offer	The state of the s
	Extraordinary	IDFE NOV NOV tO EDPRE	Settlement Offer	
<b>!</b>	Ordinary			•
	N/A	. x ((mark with x)		
	Notes		meet the good faith criteria fo violation:	<b>10</b> 0 
	<u> </u>		1997 - A Carlos Car	<u></u>
			Violati	on Subtotal \$10,00
Economic Benefit (EB) fo	r this violation		Statutory Lin	nit T <b>est</b> para a la constant
Estima	ated EB Amount	\$157	Violation Final Pe	enalty Total \$47,66
		This violation Final	Assessed Penalty (adjusted	d for limits) \$10,0
				Continue de la contraction de

#### **Economic Benefit Worksheet** Respondent INEOS USA LLC Case ID No. 41136 Reg. Ent. Reference No. RN100238708 Years of Percent Interest Depreciation Media Air Violation No. 3 5.0 15 Item Cost Date Required Final Date Yrs Interest Saved Onetime Costs EB Amount Item Description No commas or \$ Delayed Costs \$0 0.00 \$0 Equipment \$0 Buildings 0.00 \$0 \$0 \$0 Other (as needed) 0.00 \$0 \$0 Engineering/construction 0.00 \$0 n/a \$0 0.00 \$0 Land \$0 Record Keeping System 0.00 \$0 n/a \$148 \$1,500 9-Oct-2010 1.98 Training/Sampling \$148 -⊓/a Remediation/Disposal 0.00 \$0\_ n/a \$0. Permit Costs 0.00 \$0. n/a \$0 0.34 Other (as needed) \$8 The estimated cost of corrective actions already completed plus the estimated cost of future training from Notes for DELAYED costs the date of the emissions event until corrective actions have or will be completed. ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs) Avoided Costs 0.00 \$0 \$0 Disposal \$0 \$0 0.00 \$0 \$0 Personnel 0.00 \$0 Inspection/Reporting/Sampling \$0 \$0 Supplies/equipment 0.00 \$0 \$0 \* \$0 Financial Assurance [2] 0.00 \$0 \$0 \$0 ONE-TIME avoided costs [3] 0.00 \$0 \$0 Other (as needed) 0 00 Notes for AVOIDED costs TOTAL \$157

\$2,000

Approx. Cost of Compliance

Rechandent	2-Feb-2011	L Pocket	No. 2011-0223-AIR-E		PCW
	INEOS USA LLC			Policy Revision 2 (S	
Case ID No. Reg. Ent. Reference No.				PCW Revision G	ctober 30, 2008
Media [Statute]					an and a second
Enf. Coordinator					
Violation Number	13.61. 40.20.070.70.70.11				
Rule Cite(s)			5(a), Permit Nos. 95 and ety Gode § 382,085(b)	PSD-TX-	aladerect
	gyad bygg de kanasa aga naga bahasa naga naga naga naga na				
	Falled to prevent an on- Acetylene Converter interl		niscoding a selector switch in the tribning of the Ole		A SALAS ASSESSMENT
<b>4</b>	Unit on October 13, 2010	0; as documented duri	ing an investigation cond	ucted on	en e
Violation Description	November 10, 2010. Durii				Į.
-	hours, the following unauti 15,748 lbs of CO, 16,299:1				and the same
	could have been avoided by	y better operating pra	ctices, the Respondent di		
	the affirmative	e defense in 30 Tex. A	dmin, Code § 101,222.		epune
			Rac	se Penalty	\$10,000
			Dus		410,000
>> Environmental, Proper		n Matrix			ted 4400 hour
Release	Harm . Major Moderate	Minor			34-48/1-46
OR Actual	x x			•	the contraction of the contracti
Potential Potential			Percent 100%	j	- Anna Caracharan
>>Programmatic Matrix			And And Address Comments  And		New Code Code
Falsification	Major Moderate	Minor	the production of the control of the	_	*weenson
ESENTENCE ES			Percent 0%		***************************************
				8894894895	***************************************
	h or the environment has be				and in contract of
Notes that are p	rotective of human health o	r environmental recep	tors as a result of this vio	olation,	to lead and
Control of the Contro					ar contrady.
			- Adjustment	\$0	
					\$10,000
Violation Events					
					<b>şa</b> v/notává
Number of '	Violation Events		Number of violation	ı days	
	daily x				***************************************
77,1145-1148	weekly	<u> </u>			Linguign Law or
mark anhe are	monthly			,	
mark only one with an x	- quarterly		Violation Bas	se Penalty	\$10,000
	semiannual	504 604 604			mode their
	single event				FOR the PEOPLE
					Andrew Assess
One dalive	vent is recommended for the	e emissions event whi	ch occurred on October 1	3.2010.	T S S S S S S S S S S S S S S S S S S S
					u traiteriapus
	50.00	<b>,</b>			\$2,500
Good Faith Efforts to Com	ply 25.09 Before NOV	The state of the s	ent Offer		\$2,300
4 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Extraordinary	x / 5 / 96 / 11 4 ( ) 1			Que se que que
est and a state of the state of	Ordinary 💮 🗶 🗴		.5.72.8		werth creditables
	N/A	(mark with x)		****	i
KAMMAN AND AND AND AND AND AND AND AND AND A	Indian continues was		"Ne" (but the first and make a factorial New York in the control of the respective for th	4	i i
TOTAL MENTAL PROPERTY AND ADMINISTRATION AND ADMINI			ed on January 13, 2011,		numation of the Principle (1977)
		actions were complet i,the NOE was issued			namada a considera e conservado e
			January 14, 2011	n Subtotal	<b>47</b> F00
	Notes and		January 14, 2011	n Subtotal	\$7,500
Economic Benefit (EB) för	Notes and		January 14, 2011		\$7,500
	Notes and		January 14, 2011 Violatio		\$7,500 \$45,100
	this violation	the NOE was issued	January 14, 2011 Violatio Statutory Lim	it Test	

Media Violation No.						Percent Interest	Years of Depreciation
			e (2015) (Served - Serve - maybe at Serveni Maria			5.0	1.
	Item Cost	Date Required	Final Date	Yrs Ir	iterest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$					TIPE TO THE THE TANK OF THE TA	E. w The series
4885-1987-1987-1989-1989-1989-1989-1989-1989				rei denes estici			
Delayed Costs		A The second sec			40	40	#0
Equipment		e 200	110727131	0.00	\$0 \$0	\$0 \$0	\$0 \$0
Buildings Other (as needed)				0.00	\$0 \$0	\$0 \$0	\$0
Engineering/construction	Spring County and Avenue			0.00	\$0 \$0	\$0	\$0
Land	Z. Zakaza	a mouse more management	A TOP AND THE STATE OF THE STAT	0.00	\$0	n/a = 1 =	\$0
Record Keeping System	St. Tribut distribution			0.00	\$0	n/a	\$D
Training/Sampling	2. 2.3 Kg			0.00	\$0	in/a = i	\$0
Remediation/Disposal	SUPSCIENT.			0.00	\$0	n/a	\$0
Permit Costs	(2000) (1.00) (1.00) (1.00) (1.00) (1.00)			0.00	\$0	n/a	\$0
Other (as needed)	\$1,500	13-Oct-2010	13-Jan-2011	0.25	\$19	# n/a	\$19
	The cation	ated and of taking	a a secretti i a satt	one from	tha data af tha	emiccione avent uni	il corrective
Notes for DELAYED costs	51.1611.1861.1941.1941.19		action	is were co	mpleted.	emissions event un for one-time avoi	
Avoided Costs	51.1611.1861.1941.1941.19		action	is were co entering	item (except	emissions event uni	
	51.1611.1861.1941.1941.19		action	is were co	mpleted.	for one-time avoi	ded costs)
Avoided Costs  Disposal  Personnel	51.1611.1861.1941.1941.19		action	s were co entering 0.00	item (except \$0	for one-time avoi	ded costs)
Avoided Costs Disposal	51.1611.1861.1941.1941.19		action	entering	item (except \$0 \$0	for one-time avoid	ded costs) \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel spection/Reporting/Sampling	51.1611.1861.1941.1941.19		action	entering   0.00   0.00   0.00   0.00   0.00	item (except \$0 \$0 \$0 \$0 \$0 \$0	for one-time avoi \$0 \$0 \$0 \$0 \$0	ded costs)
Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment	51.1611.1861.1941.1941.19		action	entering 0.00 0.00 0.00 0.00 0.00 0.00	item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	for one-time avoi \$0 \$0 \$0 \$0 \$0 \$0 \$0	ded costs)
Avoided Costs Disposal Personnel pection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	ANNUAL		action	entering   0.00   0.00   0.00   0.00   0.00	item (except \$0 \$0 \$0 \$0 \$0 \$0	for one-time avoi \$0 \$0 \$0 \$0 \$0	ded costs)

.

Respondent	2-Feb-2011	Docket No.	2011-0223-AIR-E	PIGWE
Case ID No.	INEOS USA LLC			Policy Revision 2 (September 2002) PCW Revision October 30, 2008
Reg. Ent. Reference No.				PCW REVISION October 30, 2000
Media [Statute]				
Enf. Coordinator Violation Number				
Rule Cite(s)				. 1 code ti cod ⊕Kodaji 62 ti c
		i 101.20(2), 101.20(3), 116 D-TX-854M2; SC 8; Federa		
	Special Terms and Co	nditions 1.A. and 18.A.; 40	Code of Federal Regul	ations
	("C.F.R.") § 63.987	((b)(1); and Tex. Health & S	Safety Code § 382.085	(50)
		Itial performance tests on th		
Violation Description		o 40 C.P.R. Part 63, Subpart during a record review cond		
•	Although the flares had b	een stack tested in 2000, ii	t was determined that	the 2000
	tests reports were not	adequate to determine con	npliance with the 2008	irules
			Base	Penalty \$10,000
				-
>> Environmental, Proper	ty₃anu≡numan∍neai Harm			
Release OR Actual	Major Moderat	e Minor		
OR Actual Potential		X.	Percent 10%	·
Common de l'indicate del Mille de China			**	
>> Programmatic Matrix Falsification	Major Moderat	te Minor	Accepted	
			Percent 0%	•
Francisco Programment				A-100.000 F98
Matrix I not exceed lev		t have been exposed to Insk numan health or environme		
Notes		violation:		
			djustment	\$9,000
The second in the contract of the second sec			njustilient	
				\$1,000
Violation Events				Commence of the Commence of th
Number of \	Violation Events	1005	Number of violation	days
Toronto	******************************		<u></u>	•
	daily	5.55 5.55 5.55		Transfer of the state of the st
	monthly			
mark only one with an x	quarterly		Minterland Bear	
	= semiannual ≝i		violation Basi	Penalty \$2,000
venetables.	A CONTRACT C	3.044 3.044 3.044	violation Basi	Penalty \$2,000
The state of the s	annual x	86 K. S.	violation base	9 Penalty \$2,000
	annual		VIOIATION BASE	e Penalty \$2,000
	annual single event x	Is recommended for each fl	***	\$2,000 \$2,000
	annual single event x		***	e Penalty \$2,000
Good Faith Efforts to Com	annual single event x  One single event		***	\$2,000 \$2,000 \$2,000
Good Faith Efforts to Com	annual single event x  One single event ply 0.0  Before No	is recommended for each fl	are (two).	
Good Faith Efforts to Com	One single event  Div One Strain Before No Extraordinary	is recommended for each fl	are (two).	
Good Faith Efforts to Com	annual single event x  One single event ply 0.0  Before No	Is recommended for each flags.  DW Reduction  NOV to EDPRP/Settlement O	are (two).	
Good Faith Efforts to Com	One single event.  One single event.  Ply 0.4  Extraordinary Ordinary N/A X  The Resi	Is recommended for each flags.  Description  NOV to EDPRP/Settlement O	are (two).	
Good Faith Efforts to Com	annual single event x  One single event ply 0.0  Extraordinary Ordinary N/A x	is recommended for each fli  9% Reduction  NOV to EDPRP/Settlement O  (mark with x)	are (two).	
Good Faith Efforts to Com	One single event.  One single event.  Ply 0.4  Extraordinary Ordinary N/A X  The Resi	is recommended for each flag.    Property   Property	are (two).  Iffer  good faith criteria for.	\$0
	One:single event  One:single event  Cone:single event  Ply  Before No  Extraordinary  Ordinary  N/A  Notes  The Resi	is recommended for each flag.    Property   Property	are (two).  Iffer  good faith criteria for.  Violation	\$0 Subtotal \$2,000
Good Faith Efforts to Com	One:single event  One:single event  Cone:single event  Ply  Before No  Extraordinary  Ordinary  N/A  Notes  The Resi	is recommended for each flag.    Property   Property	are (two).  Iffer  good faith criteria for.	\$0 Subtotal \$2,000
Économic Benefit (EB) (or	One:single event  One:single event  Cone:single event  Ply  Before No  Extraordinary  Ordinary  N/A  Notes  The Resi	is recommended for each flag.    Property   Property	are (two).  Iffer  good faith criteria for.  Violation	\$0 Subtotal \$2,000
Économic Benefit (EB) (or	One single event  One single event  One single event  Extraordinary Ordinary N/A Notes  The Resp  this violation  ed EB Amount	Is recommended for each flags.  Description Descriptio	good faith criteria for.  Violation  Statutory Limit  Violation Final Pen	\$0  Subtotal \$2,000  Test alty Total \$9,520

	RN100238708	j				Contracting the second	Years of
Media Violation No.	i .					Percent Interest	Depreciation
		111 Territory addrsor (1271) Death	A COLOR DE CONTRA LES DE LA COLOR DELA COLOR DEL COLOR DE LA COLOR		**************************************	5.0	1
	Trem Cost	Date Required	Final Date	Yrs I	nterest Saved	Onetime Costs	EB Amount
Item Description	The state of the s			A PART HOLES	enco Toria dilegge Seriali		
Delayed Costs  Equipment	Europe de Carlos			0.00	\$0	\$0	\$0
Equipment Buildings		r wax	And have an absolute to regards	0.00	\$0 \$0	\$0	\$0
Other (as needed)	5. 5. 5. 5. 5. 5.			0.00	\$0 \$0	\$0	\$0
Engineering/construction	ger of this can the little of			0.00	\$0 \$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System			SECTION RESIDENCES	0.00	\$0	n/a	\$0
Training/Sampling	\$12,000	10-May-2008	31-Oct-2011	3.48	\$2,086	n/a	\$2,086
Remediation/Disposal	130 and 140	10.1101-2000	N	0.00	\$0	n/a	\$0
Permit Costs	A Profit Control Control		An ingenina Managaran Dagaran	0.00	\$0	i i n/a	\$0
	271.33						
Other (as needed)	Control (Sept.	atad asst for soor	marias ataul taa	0.00	\$0	n/a	\$0
Notes for DELAYED costs			estimat	ts from ti ed compl	he date the tes liance date.	n/a	e rule to the
Notes for DELAYED costs  Avoided Costs	ANNUAL		estimat	ts from the decomplement	he date the tes liance date. Item (except	n/a t was required by th for one-time avoi	e rule to the
Notes for DELAYED costs  Avoided Costs  Disposal	ANNUAL		estimat	ts from ti ed compl entering	he date the tes liance date. item (except	t was required by the for one-time avoid	e rule to the  ded costs)
Notes for DELAYED costs  Avoided Costs  Disposal  Personnel	ANNUAL		estimat	ts from the complete	he date the tes liance date. item (except \$0 \$0	t was required by the	e rule to the  ded costs)::: = -\$0: = \$0
Notes for DELAYED costs  Avoided Costs  Disposal  Personnel spection/Reporting/Sampling	ANNUAL BAC SOKA		estimat	ts from the complement of the	he date the tes liance date. item (except \$0 \$0 \$0	t was required by the for one-time avoiding \$0 \$0 \$0.00000000000000000000000000000	e rule to the  ded costs)  \$0  \$0  \$0  \$0
Notes for DELAYED costs  Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment	ANNUAL		estimat	ts from ti ed compl entering 0.00 0.00 0.00	he date the tes liance date. item (except \$0 \$0 \$0	t was required by the for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	e rule to the
Notes for DELAYED costs  Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	ANNUAL BAC SOFFICE CONTRACTOR BECK TO ASS TO EAST AND TO ASS TO EAST AND TO ASS		estimat	ts from ti ed compl entering 0.00 0.00 0.00	he date the tes liance date. item (except \$0 \$0 \$0 \$0 \$0	t was required by the	e rule to the
Notes for DELAYED costs  Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment	ANNUAL BAC SOKA		estimat	ts from ti ed compl entering 0.00 0.00 0.00	he date the tes liance date. item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0	t was required by the for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	e rule to the

	eening Date		F2F0F580	k e <b>ra</b> ananen b	2011-0223-AIR-E		#PCW
		INEOS USA LLC				-	2 (September 2002)
en en viger i di tre l'al tanti parti i de l'illiant de sit	Case ID No. eference No.	ÿ.				PCW Revisi	ion October 30, 2008
	ia [Statute]						-
	Coordinator						
The second of th	lation Number	6					
	Rule Cite(s)				a); Flexible Permit No		
					afety Code § 382.08		
					header due to oper os, 1 and 2 Units on		
					ucted October 27, 20		
					ting 18 hours, the fo		
\#:-1-L:					fins 1 and 2 Flares: (		
Violati	on Description		9 lbs of CO, and 9,4	133 lbs of NOx.	The event was due t iring the startup of F	o the board	T and an and an
					gh the furnace, resul		an ero da
					e reactor causing the		
	•	shutdown:of th			atlon ethylene. The	event was	
			determ	ned to be exces	sive	mana bee e E	1
					В	ase Penalty	\$10,000
			u postale viet				de succession
>> Environme	inrai <sup>s</sup> ktobei	eysanus numa	n Health Matri Harm	A. E.			s. compare spe
	Release	Major	Moderate Min	ior			,
OR	Actual		market in the second	38.2.19		_	
Provide Balance Control of the Contr	Potential	Frei várientens i			Percent 100°	<u>/6]</u>	-
>>Programm	atic Matrix			7			y and the state of
	Falsification	Major	Moderate Mir	ior	Someone Contains		and the same of th
Leave the Street Try & Colored					Percent 0°	%	
	[100 0000 000 000 000 000 000 000 000 00						in the second se
Matrix	Human healt	th or the environm	ient has been expo	sed to significan	it emissions which ex	ceed levels	
Notes					s as a result of this v		
	[1366.1.1.000.1.1780.57]						
			20,084.32				yeniyaan
					djustment:	\$0	2
						\$0	\$10,000
						\$0	\$10,000
Violation Ever	us					\$0	\$10,000
Violation Ever	4.000	Violation Events			Adjustment		\$10,000
Violation Ever	4.000	Violation Events			Adjustment		\$10,000
Violation Ever	4.000	Violation Events			Adjustment		\$10,000
Violation Ever	4.000				Adjustment		\$10,000
Violation Ever	Number of	daily weekly			Adjustment  Number of violation	on days	and the state of t
Violation Ever	4.000	daily	X		Adjustment  Number of violation		\$10,000
Violation Ever	Number of	dally weekly monthly quarterly semiannual			Adjustment  Number of violation	on days	and the state of t
Violation Ever	Number of	daily	X		Adjustment  Number of violation	on days	and the state of t
Violation Ever	Number of	dally weekly monthly quarterly semiannual annual	X		Adjustment  Number of violation	on days	and the state of t
Violation Ever	Number of  mark only one with an x	dally weekly nonthing quarterly semiannual annual single-event			Number of violation B	on days ase Penalty	and the second s
Violation Ever	Number of  mark only one with an x	dally weekly nonthing quarterly semiannual annual single-event			Adjustment  Number of violation	on days ase Penalty	and the second s
	Number of  mark only one with an x  One daily e	dally weekly monthly quarterly semiannual single: event	ded:for the emission	ngs event which	Number of violation B	on days ase Penalty	\$10,000
Violation Ever	Number of  mark only one with an x  One daily e	dally weekly monthly quarterly semiannual single: event	ded:for:the-emissio	ons event which	Number of violation B  Occurred on October	on days ase Penalty	and the second s
	Number of  mark only one with an x  One daily e	dally weekly monthly quarterly semiannual annual single event	ded:for:the-emissio	ngs event which	Number of violation B  Occurred on October	on days ase Penalty	\$10,000
	Number of  mark only one with an x  One daily e	dally weekly monthly quarterly semiannual single-event went is recommen	ded:for:the-emissio	ons event which	Number of violation B  Occurred on October	on days ase Penalty	\$10,000
	Number of  mark only one with an x  One daily e	dally weekly monthly quarterly semiannual annual single event	ded:for:the-emissio	ins event which	Number of violation B  Occurred on October	on days ase Penalty	\$10,000
	Number of  mark only one with an x  One daily e	dally weekly monthly quarterly semiannual annual single event  vent is recommen	ded for the emission	ns event which	Number of violation B  Occurred on October	ase Penalty	\$10,000
	Number of  mark only one with an x  One daily e	dally weekly monthly quarterly semiannual annual single event event is recommen  Extraordinary Ordinary N/A	ded for the emission	ns event which	Number of violation B  Occurred on October  Offer	ase Penalty	\$10,000
	Number of  mark only one with an x  One daily e	dally weekly monthly quarterly semiannual annual single event  vent is recommen	ded for the emission	ins event which tion EDPRP/Settlement with x) es not meet the	Number of violation B  Violation B  occurred on October	ase Penalty  10, 2010.	\$10,000
	Number of  mark only one with an x  One daily e	dally weekly monthly quarterly semiannual annual single event  vent is recommen	ded for the emission	ins event which tion EDPRP/Settlement with x) es not meet the	Number of violation B  Violation B  occurred on October	ase Penalty	\$10,000
Good Faith Ef	Number of  mark only one with an x  One daily e	dally weekly monthly quarterly semiannual annual single event  vent is recommen	ded for the emission  O:0% Reduction  Before NOV NOV to  X (mark v)  The Respondent do	ins event which tion EDPRP/Settlement with x) es not meet the	Number of violation B  Violation B  occurred on October	on days  ase Penalty  10, 2010.	\$10,000
Good Faith Ef	Number of  mark only one with an x  One daily e	dally weekly monthly quarterly semiannual annual single event  vent is recommen  (Ply  Extraordinary Ordinary N/A Notes	ded for the emission  O:0% Reduction  Before NOV NOV to  X (mark v)  The Respondent do	ons event which:  tion EDPRP/Settlement  with x) es not meet the this violation.	Number of violation B  Occurred on October  Offer  Violation Statutory Lin	on days ase Penalty 10, 2010.	\$10,000 \$0
Good Faith Ef	Number of  mark only one with an x  One daily e	dally weekly guarterly semiannual annual single event  vent is recommen  ply  Extraordinary Ordinary N/A  Notes	ded:for:the emission  O: 0.9% Reduction  Before NOV NOV to  X [mark v]  The Respondent:do	ons event which  tion EDPRP/Settlement  with x) es not meet the this violation.	Number of violation  Violation B  Occurred on October  Offer  Violation Final P	on days  ase Penalty  10, 2010.  ion Subtotal  nit Test enalty Total	\$10,000 \$0 \$10,000 \$47,600
Good Faith Ef	Number of  mark only one with an x  One daily e	dally weekly monthly quarterly semiannual annual single event  vent is recommen  (Ply  Extraordinary Ordinary N/A Notes	ded:for:the emission  O: 0.9% Reduction  Before NOV NOV to  X [mark v]  The Respondent:do	ons event which  tion EDPRP/Settlement  with x) es not meet the this violation.	Number of violation B  Occurred on October  Offer  Violation Statutory Lin	on days  ase Penalty  10, 2010.  ion Subtotal  nit Test enalty Total	\$10,000 \$0

Reg. Ent. Reference No. Media Violation No.	Air					Percent Interest	Years of Depreciation
						5.0	1
	Item Cost	Date Required	Final Date	Yrs In	terest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$		korson il 2000 ilino soni				Saledine Harton Senier
	405A 1537 <b>0</b> 00136 00200	- A \$ 10 P\$ \$ 7 P\$   2					
Delayed Costs  Equipment	postone sur artilizarensa			0.00	\$0	\$0	\$0
Equipment Buildings	ation facility and the second and th	Mac	The second second	0.00	\$0 \$0	\$0	\$0
Other (as needed)	Security drains participating	200 Co. 100 Co		0.00	\$0 \$0	\$0	\$0 \$0
Engineering/construction	SET SELECT CONSTRUCTION OF CO.			0.00	\$0	\$0	\$0 \$0
Land	Security of the second of the	5000.0000000000000000000000000000000000	The second secon	0.00	\$0 \$0	n/a	\$0
Record Keeping System	20 00000000		N	0.00	\$0 \$0	n/a	\$0
Training/Sampling	plante Majo			0.00	\$0 \$0	n/a	\$0 \$0
	ACCUAD SANCE					11/0	
	25,8020,900,000,000,000,000,000,000	* * * * * * * * * * * * * * * * * * *	processors and an expension of	0.00		The state of the s	l
Remediation/Disposal	A CONTRACTOR OF THE CONTRACTOR			0.00	\$0 #0	w san/a	\$0 *0
Remediation/Disposal Permit Costs Other (as needed)	\$10,000	10-Oct-2010	31-Dec-2011	0.00 0.00 1.22	\$0 \$0 \$612	n/a n/a n/a	\$0 \$0 \$612
Permit Costs	7 \$10,000			0.00 1.22 enting a Co	\$0 \$612 orrective Action	n/a n/a Plan ("CAP") from	\$0 \$612
Permit Costs Other (as needed) Notes for DELAYED costs	\$10,000 The estimated	d cost of developi	ng and impleme Violation to the	0.00 1.22 enting a Co estimated	\$0 \$612 orrective Action I compliance d	il/a n/a n Plan ("CAP") from ate.	\$0 \$612 the date of the
Permit Costs Other (as needed)  Notes for DELAYED costs  Avoided Costs	\$10,000 The estimated	d cost of developi	ng and impleme Violation to the	0.00 1.22 enting a Co estimated	\$0 \$612 prrective Action I compliance d	ni/a n/a' n Plan ("CAP") from ate. for one-time avoi	\$0 \$612 the date of the
Permit Costs Other (as needed)  Notes for DELAYED costs  AVOIDED COSTS Disposal	\$10,000 The estimated	d cost of developi	ng and impleme Violation to the	0.00 1.22 enting a Go estimated entering 0.00	\$0 \$612 prrective Action I compliance d Item (except \$0	n/a n/a n Plan ("CAP") from ate. for one-time avoi	\$0 \$612 the date of the ded costs)
Permit Costs Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal Personnel	\$10,000 The estimated	d cost of developi	ng and impleme Violation to the	0.00	\$0 \$612 Directive Action I compliance d Item (except \$0 \$0	n/a n/a n/a n/a n/a n/a n/a n/a n/a n/a n/a	\$0 \$612 the date of the ded costs) \$0 &
Permit Costs Other (as needed)  Notes for DELAYED costs  AVOIDED COSTS Disposal Personnel espection/Reporting/Sampling	**\$10,000  The estimated	d cost of developi	ng and impleme Violation to the	0.00 1.22 enting a Co estimated entering 0.00 0.00	\$0 \$612 orrective Action d compliance d item (except \$0 \$0 \$0	n/a n/a n Plan ("CAP") from ate. for one-time avoi \$0 \$0 \$0	\$0 \$612 the date of the ded costs) \$0 \$0 \$0 \$0
Permit Costs Other (as needed)  Notes for DELAYED costs  AVOIDED COSTS Disposal Personnel spection/Reporting/Sampling Supplies/equipment	\$10,000 The estimated	d cost of developi	ng and impleme Violation to the	0.00 1.22 enting a Co estimated 0.00 0.00 0.00	\$0 \$612 Directive Action d compliance d litem (except \$0 \$0 \$0 \$0	in/a n/a n Plan ("CAP") from ate.  for one-time avoi \$0 \$0 \$0 \$0	\$0 \$612 the date of the ded costs) \$0 20 50 20 \$0 20 50 20
Permit Costs Other (as needed)  Notes for DELAYED costs  AVOIDED COSTS Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	**************************************	cost of developi	ng and impleme Violation to the	0.00 1.22 enting a Constitution of the constit	\$0 \$612 prrective Action d compliance d item (except \$0 \$0 \$0 \$0	for one-time avoi	\$0 \$612 the date of the ded costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Permit Costs Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	**\$10,000  The estimated	d cost of develop	ng and impleme Violation to the costs before	0.00 1.22 enting a Constitution of the constit	\$0 \$612 prrective Action of compliance d item (except \$0 \$0 \$0 \$0 \$0	n//a n/a n Plan ("CAP") from ate.  for one-time avoi \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$612 the date of the ded costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Permit Costs Other (as needed)  Notes for DELAYED costs  Avoided Gosts Disposal Personnel aspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	**************************************	cost of developi	ng and impleme Violation to the	0.00 1.22 enting a Constitution of the constit	\$0 \$612 prrective Action d compliance d item (except \$0 \$0 \$0 \$0	for one-time avoi	\$0 \$612 the date of the ded costs) \$0
Permit Costs Other (as needed)  Notes for DELAYED costs  AVOIDED COSTS Disposal Personnel nspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	**************************************	d cost of develop	ng and impleme Violation to the costs before	0.00 1.22 enting a Constitution of the constit	\$0 \$612 prrective Action of compliance d item (except \$0 \$0 \$0 \$0 \$0	n//a n/a n Plan ("CAP") from ate.  for one-time avoi \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$612 the date of the ded costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

# **Compliance History**

Customer/Respondent/Owner-Operator:

CN602817884

INEOS USA LLC

Classification: AVERAGE

Rating: 3.86

Regulated Entity:

ID Number(s):

RN100238708 CHOCOLATE BAYOU PLANT	Classification: AVERAGE	Site Rating: 7.04
AIR OPERATING PERMITS	ACCOUNT NUMBER	BL0002S
AIR OPERATING PERMITS	PERMIT .	1353
AIR OPERATING PERMITS	PERMIT .	2327
POLLUTION PREVENTION PLANNING	ID NUMBER	P00028
WASTEWATER	PERMIT	WQ0001333000
WASTEWATER	EPA ID	TX0004821
PETROLEUM STORAGE TANK	REGISTRATION	12999
REGISTRATION		
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200132
UNDERGROUND INJECTION CONTROL	PERMIT	5D0400007
AIR NEW SOURCE PERMITS	PERMIT	53419
AIR NEW SOURCE PERMITS	PERMIT	95
AIR NEW SOURCE PERMITS	PERMIT	101
AIR NEW SOURCE PERMITS	REGISTRATION	75608
AIR NEW SOURCE PERMITS	REGISTRATION	12953
AIR NEW SOURCE PERMITS	REGISTRATION	53419
AIR NEW SOURCE PERMITS	REGISTRATION	75399
AIR NEW SOURCE PERMITS	REGISTRATION	10465
AIR NEW SOURCE PERMITS	REGISTRATION	10906
AIR NEW SOURCE PERMITS	REGISTRATION	11060
AIR NEW SOURCE PERMITS	REGISTRATION	11539
AIR NEW SOURCE PERMITS	REGISTRATION	12136
AIR NEW SOURCE PERMITS	REGISTRATION	12709
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	BL0002S
AIR NEW SOURCE PERMITS	AFS NUM	4803900014
AIR NEW SOURCE PERMITS	EPA ID	PSDTX854
AIR NEW SOURCE PERMITS	PERMIT	488A
AIR NEW SOURCE PERMITS	PERMIT	491A
AIR NEW SOURCE PERMITS	PERMIT	1041
AIR NEW SOURCE PERMITS	PERMIT	2798
AIR NEW SOURCE PERMITS	PERMIT	4882
AIR NEW SOURCE PERMITS	PERMIT	7196
AIR NEW SOURCE PERMITS	PERMIT	19868
AIR NEW SOURCE PERMITS	PERMIT	35735
AIR NEW SOURCE PERMITS	PERMIT	46192
AIR NEW SOURCE PERMITS	REGISTRATION	48637
AIR NEW SOURCE PERMITS	REGISTRATION	71820
AIR NEW SOURCE PERMITS	REGISTRATION	74968
AIR NEW SOURCE PERMITS	REGISTRATION	76394
AIR NEW SOURCE PERMITS	EPA ID	PSDTX793
AIR NEW SOURCE PERMITS	EPA ID	PSDTX983
AIR NEW SOURCE PERMITS	REGISTRATION	76826
AIR NEW SOURCE PERMITS	REGISTRATION	76401
AIR NEW SOURCE PERMITS	EPA ID	PSDTX642
AIR NEW SOURCE PERMITS	REGISTRATION	78501
AIR NEW SOURCE PERMITS	REGISTRATION	78483
AIR NEW SOURCE PERMITS  AIR NEW SOURCE PERMITS	EPA ID	PSDTX854M2
AIR NEW SOURCE PERMITS AIR NEW SOURCE PERMITS	REGISTRATION	94567
AIR NEW SOURCE PERMITS	REGISTRATION	87813
	LICENSE	0200132
WATER LICENSING	EPA ID	TXD050309012
INDUSTRIAL AND HAZARDOUS WASTE	SOLID WASTE REGISTRATION #	
INDUSTRIAL AND HAZARDOUS WASTE	(SWR)	30042
INDUSTRIAL AND HAZARDOUS WASTE	PERMIT	50121
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30042
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	BL0002S

Location:

TCEQ Region:

Date Compliance History Prepared:

Agency Decision Requiring Compliance History:

REGION 12 - HOUSTON

February 01, 2011

Enforcement

February 01, 2006 to February 01, 2011 TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History (512) 239-1044 Miriam Hall Name: Site Compliance History Components 1. Has the site been in existence and/or operation for the full five year compliance period? Yes 2. Has there been a (known) change in ownership/operator of the site during the compliance period? No 3. If Yes, who is the current owner/operator? 4. If Yes, who was/were the prior owner(s)/operator(s)? N/A 5. When did the change(s) in owner or operator occur? N/A 6. Rating Date: 9/1/2010 Repeat Violator: Components (Multimedia) for the Site: Final Enforcement Orders, court judgments, and consent decrees of the State of Texas and the federal government. Effective Date: 08/28/2006 ADMINORDER 2006-0242-AIR-E Classification: Moderate 30 TAC Chapter 101, SubChapter A 101.20(3) Citation: 30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter A 382.085(b) Rgmt Prov: Air Permit #92/PSD-TX-854, S.C.#1 PA Description: Falled to prevent unauthorized emissions during a April 14, 2005 emissions event. Classification: Moderate 30 TAC Chapter 101, SubChapter A 101.20(3) Citation: 30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter A 382.085(b) Rgmt Prov: Air Permit #95/PSD-TX-854, S.C.#1 PA Description: Failed to prevent unauthorized emissions during a May 29, 2005 emissions event. Classification: Moderate 30 TAC Chapter 101, SubChapter A 101.20(3) Citation: 30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter A 382.085(b) Rqmt Prov: Air Permit #95/PSD-TX-854, S.C.#1 PA Description: Failed to prevent unauthorized emissions during a July 5, 2005 emissions event. Effective Date: 11/03/2006 ADMINORDER 2006-0469-AIR-E Classification: Major 30 TAC Chapter 101, SubChapter A 101.20(3) Citation: 30 TAC Chapter 116, SubChapter G 116.715(a) Rgmt Prov: No. 95/PSD-TX-854, Special Condition #1 PERMIT Description: Failure to prevent loss of instrument air resulting in unauthorized emissions. Classification: Moderate 30 TAC Chapter 116, SubChapter G 116.715(a) Citation: Rgmt Prov: Permit No. 95/PSD-TX-854 PERMIT Description: Failed to maintain an emission rate below the maximum allowable emission limit of zero from the No. 1 Olefins Flare on November 19, 2005 [emission point No. ("EPN") DM-1101] on November 19, 2005. Classification: Moderate 30 TAC Chapter 116, SubChapter G 116.715(a) Citation: 5C THC Chapter 382, SubChapter D 382.085(b) Rqmt Prov: Special Condition No. 1 PERMIT Description: Failed to maintain an emission rate below the maximum allowable emission limit of zero from the No. 1 Olefins Flare on December 11, 2005 [EPN DM-1101] on December 11, 2005. Effective Date: 04/26/2007 ADMINORDER 2006-1893-AIR-E Classification: Moderate 30 TAC Chapter 116, SubChapter G 116.715(a) Citation: Rqmt Prov: No. 95, Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions.

ADMINORDER 2007-0175-AIR-E Effective Date: 08/31/2007

Classification: Moderate

30 TAC Chapter 101, SubChapter A 101.20(3) Citation:

30 TAC Chapter 116, SubChapter G 116,715(a)

Rgmt Prov: No. 95, Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions,

Effective Date: 11/19/2007

ADMINORDER 2004-0891-AIR-E

Classification: Major

Citation:

30 TAC Chapter 116, SubChapter G 116,715(a)

5C THC Chapter 382, SubChapter A 382,085(b)

Ramt Prov: Flexible Air Permit #95, SC #1 PERMIT

Description: BP Amoco failed to prevent the unauthorized excessive emissions from Emission Point No.

DDM-3101 during a period of 42 hours on April 1 through April 3, 2003.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.110(a)

5C THC Chapter 382, SubChapter A 382.085(b)

Romt Prov: Flexible Permit 95 and PSD-TX-854 PA

Description: BP Amoco failed to prevent the unauthorized emissions when a drain valve on Flare Knock-Out

Drum AD-1501 was left open for one hour on May 3, 2004.

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter G 116,715(a)

5C THC Chapter 382, SubChapter A 382.085(b)

Ramt Prov: TCEQ FLEXIBLE AIR PERMIT #95, SC#1 PERMIT

Description: BP Amoco failed to prevent the unauthorized emissions when BP Amoco failed to prevent a high concentration of carbon monoxide in cracked gas which caused a malfunction in the acetylene reactor, which in turn, resulted in the production of ethylene which was routed to the Olefins 1 Flare for approximately 12 hours and 30 minutes on July 19, 2004.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter G 116.715(a)

5C THC Chapter 382, SubChapter A 382.085(b)

TCEQ Flexible Air Permit No. 95, SC1 PERMIT

Description: BP Amoco failed to prevent the unauthorized emissions from the Olefins 2 Unit's flare when the Steam Turbine, DDGT-220AN, had an electrical short circuit which caused it to trip offline. This short circuiting caused the Cracked-Gas Compressor DDC-202N to trip-off during a period of approximately eleven (11) hours on June 16, 2004.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rgmt Prov: 19868, SC No. 1 PA

Description: BP Amoco failed to prevent the unauthorized emissions due to a seal failure on Quench Pump

MG-251 for approximately one hour and forty-five minutes on July 9, 2004.

Citation:

30 TAC Chapter 116, SubChapter G 116,715(a)

5C THC Chapter 382, SubChapter A 382.085(b)

Rgmt Prov: TCEQ Flex Air Permit No. 95, SC1 PERMIT

Description: BP Amoco falled to prevent unauthorized emissions from the Olefins 1 Unit Flare when BP failed to control back-pressure in a hydrogen pipeline; thereby shutting down two compressors and decreasing flow through the ethylene section of the Olefins 1 Unit for approximately 40 hours from October 21 through October 23, 2004.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter G 116.715(a)

95, SC #1 PA

Description: BP Amoco failed to prevent unauthorized emissions from the Olefins 1 Flare when BP failed to control the carbon monoxide concentration and temperature in the acetylene reactor, DR-201 A/B, for approximately 10 hours on October 29, 2004.

Effective Date: 01/28/2008

ADMINORDER 2007-0370-AIR-E

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter G 116,715(a)

5C THC Chapter 382, SubChapter A 382.085(b)

Rgmt Prov: No. 95/PSD-TX-854, SC#1 PERMIT

Description: Failure to prevent an unplanned compressor shutdown resulting in unauthorized emissions during

Incident 63040 and 63041.

Classification: Major

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter G 116.715(a)

5C THC Chapter 382, SubChapter A 382,085(b)

No. 95 PERMIT Ramt Prov:

Description: Falled to control unauthorized emissions during Incident No. 63863 and No. 63864.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Flex Air Permit #95/PSD-TX-854, SC1 OP
Description: INEOS failure to prevent an avoidable emissions event.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter D 382.085(b)

Romt Prov. Special Condition No. 1 PERMIT

Description: Failure to prevent loss of feed resulting in unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter G 118.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
TCEO Parmit No. 95, Special Condition 1 PERMIT

Rgmt Prov: TCEQ Permit No. 95, Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions due to operator error.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rgmt Prov: TCEQ Permit No. 95, Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: No. 95, Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions.

Effective Date: 04/03/2008 ADMINORDER 2007-1325-PWS-E

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)

5A THC Chapter 341, SubChapter A 341.0315(c)

Description: Violated the maximum contaminant level for Trihalomethanes during the fourth quarter of 2006.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)

5A THC Chapter 341, SubChapter A 341.0315(c)

Description: Violated the maximum contaminant level for Trihalomethanes during the first quarter of 2007.

Effective Date: 07/21/2008 ADMINORDER 2008-0266-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter G 116.715(a)

5C THSC Chapter 382 382.085(b)

Rgmt Prov: No. 95, Special Condition 1 PERMIT

Description: Failed to prevent the interruption of dimethylsulfide supply to dilution steam.

ADMINORDER 2008-0800-AIR-E

Effective Date: 11/17/2008

Citation:

Citation:

Classification: Moderate

30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 111, SubChapter A 111.111(a)(1) 30 TAC Chapter 116, SubChapter G 116.715(a)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Condition No. 11 PERMIT

Special Condition 1 PERMIT

Description: Failed to comply with permitted emissions limits.

Effective Date: 03/12/2009 ADMINORDER 2008-1561-AIR-E

Classification: Moderate

30 TAC Chapter 116, SubChapter G 116.715(a)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent rupture of Tank AF4601B roof seals.

Effective Date: 07/20/2009 ADMINORDER 2009-0292-AIR-E

Classification: Moderate

30 TAC Chapter 116, SubChapter G 116,715(a) Citation:

5C THSC Chapter 382 382.085(b)

Special Condition 1 PERMIT Ramt Prov:

Description: INEOS failed to prevent an avoidable emissions event.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter G 116.715(a)

5C THSC Chapter 382 382,085(b)

Rgmt Prov: Special Condition 1 PERMIT

Description: INEOS failed to prevent an avoidable emissions event.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter G 116.715(a)

5C THSC Chapter 382 382.085(b)

Rgmt Prov: Special Condition 1 PERMIT

Description: Failure to prevent the unauthorized release of 2,739 lbs of ethylene, 93 lbs of 1,3-butadiene, 303 lbs

of propylene, 1,119 lbs nitrogen oxides, 5,701 lbs carbon monoxide, and 527 lbs of other volatile organic compounds (VOCs). This was caused by a malfunction of a level controller on the feed drum separator to a

demethanizer column.

Effective Date: 11/13/2009

ADMINORDER 2009-0758-AIR-E

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter G 116.715(a)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PA

Description: Failure to prevent unauthorized emissions. Specifically the failure of the mechanical arm caused the

malfunction of DDC-201crack gas compresor.

Effective Date: 04/11/2010

ADMINORDER 2009-1084-AIR-E

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter G 116.715(a)

5C THSC Chapter 382 382.085(b)

Special Condition 1 PERMIT Ramt Prov:

Description: Failure to prevent unauthorized emissions during an emissions event. The operator failed to control

the liquid level on first stage suction drum (D-201).

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter G 116.715(a)

5C THSC Chapter 382 382.085(b)

Rgmt Prov: Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions during an emissions event. Specifically, INEOS failed to

prevent the loss of steam pressure which resulted in C-201 cracked gas compressor trip.

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter G 116.715(a)

5C THSC Chapter 382 382.085(b)

Rgmt Prov: Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions, The valve controller to the R-202 acetylene reactor was

tuned improperly.

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter G 116.715(a)

5C THSC Chapter 382 382,085(b)

Rqmt Prov: Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions when the block valve to DB901A fuel line was not fully

closed.

Effective Date: 04/25/2010

ADMINORDER 2009-1737-AIR-E

Classification: Moderate

Citation;

30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter G 116,715(a)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT

Description: Failure to prevent the release of unauthorized emissions which was caused by the polymerization of

1,3-butadiene in the process.

В. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

(333721)

(375409)

(435662) (436530)

(437530)

(437776)

1 02/28/2006

2 08/09/2006

3 02/28/2006

4 02/16/20065 02/22/2007

6 02/28/2006

02/28/2006	(431770)
02/23/2007	(437902)
02/24/2006	(438700)
03/20/2006	(438702)
02/27/2006	(440360)
02/27/2006	(449481)
04/19/2006	(449649)
02/24/2006	(450737)
02/27/2006	(450755)
02/28/2006	(450758)
02/24/2006	(450766)
02/24/2006	(450771)
05/10/2006	(451219)
05/19/2006	(453213)
05/09/2006	(453215)
04/28/2006	(453217)
02/24/2006	(454384)
05/15/2006	(454640)
03/20/2006	<b>(4</b> 54973)
03/20/2006	(454984)
07/11/2007	(454997)
11/27/2006	(455008)
03/13/2007	(455785)
04/24/2006	(459777)
04/24/2006	(460166)
04/24/2006	(460197)
03/23/2007	(460443)
04/03/2007	(461307)
04/11/2007	(461770)
05/17/2006	(462063)
05/04/2006	(462911)
07/27/2006	(465816)
02/15/2006	(468321)
06/30/2006	(482249)
07/07/2006	(483768)
07/07/2006	(483977)
07/07/2006	(484327)
07/21/2006	(484894)
07/21/2006	(485159)
07/06/2006	(485562)
	02/23/2007 02/24/2006 03/20/2006 02/27/2006 02/27/2006 02/27/2006 02/24/2006 02/24/2006 02/24/2006 02/24/2006 05/10/2006 05/19/2006 05/15/2006 05/15/2006 03/20/2006 03/20/2006 03/20/2006 03/13/2007 04/24/2006 04/24/2006 04/24/2006 03/23/2007 04/24/2006 03/23/2007 04/11/2007 05/17/2006 05/04/2006 07/07/2006 07/07/2006 07/07/2006 07/07/2006 07/07/2006 07/07/2006

46	09/01/2006	(488185)
47	09/01/2006	(488258)
48	09/01/2006	(488259)
49	09/01/2006	(488316)
50	09/01/2006	(488416)
51	09/01/2006	(488461)
52	09/01/2006	(488482)
53	09/01/2006	(489158)
54	02/26/2007	(489773)
55	09/01/2006	(497259)
56	03/17/2006	(498116)
57	04/21/2006	(498117)
58	05/16/2006	(498118)
59	06/19/2006	(498119)
60	07/17/2006	(498120)
61	10/10/2006	(511470)
62	05/21/2007	(511619)
63	10/10/2006	(514525)
64	10/17/2006	(515418)
65	12/06/2006	(518260)
66	08/16/2006	(520130)
67	10/12/2006	(520131)
68	12/19/2006	(532142)
69	04/13/2007	(532653)
70	01/16/2007	(534803)
71	03/22/2007	(541397)
72	04/09/2007	(541411)
73	02/26/2007	(541487)
74	02/28/2007	(541747)
75	02/07/2007	(544396)
76	11/17/2006	(544397)
77	11/08/2006	(544398)
78	12/12/2006	(544399)
79	01/12/2007	(544400)
80	05/03/2007	(554914)
81	05/10/2007	(555702)
82	05/25/2007	(560317)
83	06/06/2007	(562013)
84	08/10/2007	(562140)
85	08/10/2007	(563070)
86	06/25/2007	(564693)
87	09/28/2007	(565477)
88	08/31/2007	(565801)
89	10/04/2007	(565852)
90	10/04/2007	(565854)
91	10/10/2007	(565963)
92	10/10/2007	(565967)
93	10/10/2007	(566452)

94	10/19/2007	(566487)
95	07/23/2007	(566724)
96	10/10/2007	(566839)
97	10/19/2007	(566879)
98	10/10/2007	(566915)
99	10/11/2007	(566941)
100	12/04/2007	(566947)
101	10/11/2007	(566955)
102	07/23/2007	(567132)
103	01/17/2007	(567358)
104	07/19/2007	(567658)
105	05/18/2007	(568214)
106	07/30/2007	(568409)
107	10/18/2007	(569974)
108	11/26/2007	(569987)
109	11/26/2007	(570225)
110	02/20/2008	(570269)
111	09/19/2007	(570290)
112	11/27/2007	(570543)
113	09/19/2007	(574167)
114	11/13/2007	(574346)
115	03/12/2007	(575151)
116	04/16/2007	(575152)
117	05/18/2007	(575153)
118	06/11/2007	(575154)
119	07/12/2007	(575155)
120	08/07/2007	(575156)
121	11/09/2007	(594021)
122	11/09/2007	(594251)
123	11/09/2007	(594360)
124	11/16/2007	(594670)
125	11/16/2007	(594676)
126	11/16/2007	(594681)
127	11/09/2007	(594738)
128	11/19/2007	(594880)
129	03/10/2008	(597253)
130	12/20/2007	(599302)
131	01/02/2008	(599812)
132	11/06/2007	(600100)
133	01/08/2008	(600585)
134	02/08/2008	(600663)
135	09/18/2007	(607523)
136	09/18/2007	(607524)
137	02/08/2008	(609244)
138	01/10/2008	(609407)
139	01/25/2008	(609712)
140	02/08/2008	(609996)
141	02/08/2008	(610061)

142	02/08/2008	(610221)
143	02/08/2008	(610485)
144	02/08/2008	(611533)
145	01/18/2008	(611544)
146	01/03/2008	(611841)
147	02/08/2008	(611999)
148	02/08/2008	(612004)
149	02/08/2008	(612681)
150	03/13/2008	(614947)
151	03/18/2008	(615544)
152	03/18/2008	(615545)
153	03/18/2008	(615556)
154	03/18/2008	(615557)
155	03/31/2008	(616611)
156	03/31/2008	(616733)
157	04/04/2008	(618108)
158	02/15/2008	(618820)
159	11/08/2007	(619477)
160	12/05/2007	(619478)
161	10/29/2008	(636605)
162	03/06/2008	(636901)
163	05/09/2008	(637781)
164	04/21/2008	(639800)
165	05/16/2008	(639937)
166	05/16/2008	(639984)
167	05/16/2008	(640018)
168	05/23/2008	(640200)
169	07/07/2008	(641625)
170	02/08/2008	(652098)
171	05/18/2007	(652283)
172	08/10/2007	(652667)
173	11/15/2007	(653032)
174	05/07/2008	(654421)
175	10/27/2008	(657228)
176	06/30/2008	(671377)
177	06/30/2008	(671397)
178	02/13/2008	(671984)
179	03/06/2008	(671985)
180	04/07/2008	(671986)
181	03/26/2008	(671987)
182	07/15/2008	(681456)
183	10/21/2008	(682299)
184	06/26/2008	(683110)
185	06/27/2008	(684063)
186	10/28/2008	(685844)
187	08/14/2008	(686668)
188	07/28/2008	(687478)
189	08/19/2008	(687694)

190	08/22/2008	(687895)
191	02/20/2009	(689406)
192	02/20/2009	(689422)
193	05/12/2008	(689902)
194	06/10/2008	(689903)
195	11/10/2008	(700448)
196	08/29/2008	(701306)
197	11/10/2008	(705593)
198	12/06/2007	(710683)
199	09/05/2008	(710684)
200	09/23/2008	(710685)
201	11/10/2008	(710686)
202	09/23/2008	(710687)
203	02/03/2009	(722657)
204	02/05/2009	(722823)
205	02/05/2009	(722848)
206	02/27/2009	(724203)
207	08/20/2009	(724204)
208	07/27/2009	(725190)
209	02/10/2009	(726338)
210	12/10/2008	(727445)
211	12/10/2008	(727446)
212	04/24/2009	(737309)
213	05/15/2009	(737333)
214	04/27/2009	(737963)
215	03/18/2009	(738007)
216	03/18/2009	(738050)
217	05/05/2009	(739628)
218	05/05/2009	(739755)
219	06/09/2009	(739816)
220	04/18/2009	(741058)
221	08/07/2009	(741172)
222	05/15/2009	(742437)
223	05/15/2009	(742470)
224	05/15/2009	(742611)
225	11/10/2009	(746109)
226	06/30/2009	(746227)
227	11/05/2009	(746389)
228	08/04/2010	(747496)
229	07/16/2009	(748313)
230	07/16/2009	(748315)
231	08/14/2009	(749587)
232	02/03/2009	(750205)
233	03/04/2009	(750206)
234	04/08/2009	(750207)
235	04/01/2009	(750208)
236	09/02/2009	(760233)
237	09/02/2009	(760551)

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238	09/03/2009	(761249)
239	09/02/2009	(761259)
240	09/03/2009	(761268)
241	09/28/2009	(762141)
242	09/28/2009	(763026)
243	09/18/2009	(763553)
244	08/17/2009	(764639)
245	09/30/2009	(764855)
246	09/30/2009	(764874)
247	10/01/2009	(765567)
248	10/08/2009	(766406)
249	08/20/2009	(766649)
250	05/15/2009	(768312)
251	06/09/2009	(768313)
252	12/23/2009	(777974)
253	01/05/2010	(778214)
254	12/02/2009	(778933)
255	12/22/2009	(780308)
256	01/22/2010	(780824)
257	12/17/2009	(784082)
258	01/26/2010	(787753)
259	01/22/2010	(787933)
260	01/27/2010	(789059)
261	02/17/2010	(789378)
262	02/24/2010	(792058)
263	05/27/2010	(793072)
264	07/13/2010	(795013)
265	03/12/2010	(795191)
266	04/23/2010	(795826)
267	04/23/2010	(795943)
268	04/19/2010	(796648)
	05/10/2010	(800560)
269		(801639)
270	05/17/2010	
271	06/10/2010	(801866)
272	06/23/2010	(802202)
273	05/26/2010	(802444)
274	06/24/2010	(802766)
275	08/31/2010	(803098)
276	02/08/2010	(804519)
277	11/09/2009	(804520)
278	12/07/2009	(804521)
279	01/11/2010	(804522)
280	08/09/2010	(824509)
281	06/17/2010	(824648)
282	06/08/2010	(824682)
283	07/28/2010	. (825561)
284	07/09/2010	(826424)
285	07/14/2010	(826434)

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286 11/24/2010
       287 11/10/2010
                            (826661)
       288 11/24/2010
                            (826663)
       289 03/04/2010
                            (830831)
       290 04/07/2010
                            (830832)
       291 05/13/2010
                            (830833)
                            (841097)
       292 09/07/2010
                            (841099)
       293 07/21/2010
       294 09/03/2010
                            (841100)
                            (843913)
       295 01/07/2011
       296 06/15/2010
                            (846251)
       297 08/31/2010
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                            (860846)
       298 07/08/2010
       299 11/08/2010
                            (866088)
                            (866253)
       300
           10/13/2010
                            (866812)
       301 08/12/2010
       302 01/27/2011
                             (870365)
                            (872609)
       303 01/12/2011
                             (872634)
       304 01/14/2011
       305 09/08/2010
                             (873884)
                             (878647)
       306 01/05/2011
                             (878760)
       307 12/10/2010
                             (878920)
       308 01/14/2011
                             (881211)
       309 01/05/2011
                             (881485)
       310 09/21/2010
       311 01/10/2011
                             (885126)
                             (888014)
       312 11/03/2010
Written notices of violations (NOV), (CCEDS Inv. Track. No.)
     Date: 04/28/2006
                            (453217)
                                                            CN602817884
                                                                        Classification:
                                                                                        Moderate
     Self Report?
                            Permit No. 19868, Special Condition 1 PERMIT
      Citation:
                       30 TAC Chapter 116, SubChapter B 116.115(c)
                       5C THC Chapter 382, SubChapter A 382.085(b)
                       Failure to keep the emissions within the Maximum Allowable Emissions Rate Table
      Description:
                       limits specified in TCEQ Air Permit No. 19868 for the Flare
                                                            CN602817884
      Date: 01/17/2007
                            (567358)
                                                                         Classification:
                                                                                        Moderate
      Self Report?
                    NO
      Citation:
                       30 TAC Chapter 290, SubChapter F 290.113(f)(4)
                       5A THC Chapter 341, SubChapter A 341.0315(c)
                       Violated the maximum contaminant level for Trihalomethanes during the fourth quarter
      Description:
                        of 2006.
      Date: 05/18/2007
                                                             CN602817884
                            (652283)
                                                                         Classification:
                                                                                         Moderate
      Self Report?
                        30 TAC Chapter 290, SubChapter F 290.113(f)(4)
      Citation:
                        TOTAL TRIHALOMETHANES
      Description:
                                                             CN602817884
      Date: 05/18/2007
                            (568214)
                                                                         Classification:
                                                                                         Moderate
      Self Report?
                    NO
                        30 TAC Chapter 290, SubChapter F 290.113(f)(4)
      Citation:
                        5A THC Chapter 341, SubChapter A 341.0315(c)
                        Violated the maximum contaminant level for Trihalomethanes during the first quarter of
      Description:
                        2007.
      Date: 08/10/2007
                            (652667)
                                                             CN602817884
                                                                         Classification:
      Self Report?
                                                                                         Moderate
                        30 TAC Chapter 290, SubChapter F 290.113(f)(4)
      Citation:
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(826657)

Ε.

CN602817884

TOTAL TRIHALOMETHANES

(565801)

Description:

Date: 08/31/2007

Self Report? Classification: Moderate 30 TAC Chapter 115, SubChapter D 115.352(4) Citation: 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Part 60, Subpart VV 60.482-6(a)(1) 5C THC Chapter 382, SubChapter D 382.085(b) FOP #O-01353, Special Condition #1A OP FOP #O-01353, Special Condition #6 OP Permit #19868, Special Condition #5E PERMIT Permit #35735, Special Condition #8E PERMIT Permit #5419, Special Condition #8E PERMIT Description: Failure to seal open-ended lines in a VOC service. Classification: Moderate Self Report? Citation: 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b) FOP # O-01353, Special Condition #1A OP FOP # O-01353, Special Condition #6 OP Permit #19868, Special Condition #8D PERMIT Permit #35735, Special Condition #4 PERMIT Description: Failure to prevent flares' on-line analyzers to be out of service. Classification: Moderate Self Report? NO Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Part 60, Subpart A 60.18(c)(1) 5C THC Chapter 382, SubChapter D 382,085(b) FOP #0-01353, Special Condition #1A OP FOP #0-01353, Special Condtlon #6 OP Permit #35735, Special Condition #3 PERMIT Description: Failure to prevent visible emissions at the flare. Classification: Moderate Self Report? 30 TAC Chapter 116, SubChapter B 116.115(c) Citation: 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b) FOP #O-01353, Special Condition #6 OP Permit #35735, Special Condition #4 PERMIT Failure to prevent flare monitoring data for vent flow rate lost due to parametric meter Description: malfunction. Self Report? Classification: Minor Citation: 30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.145(2)(A) 30 TAC Chapter 122, SubChapter B 122.146(5)(D) 5C THC Chapter 382, SubChapter D 382.085(b) Description: Failure to include in four previous deviation reports (May 2005 to October 2006) their failure to submit semi-annual reports of non-repairable HRVOC fugitive emission components to TCEQ Houston Region Office. Self Report? Classification: Moderate Citation: 30 TAC Chapter 115, SubChapter H 115.782(c)(2)(A)(i) 5C THC Chapter 382, SubChapter D 382.085(b) Failure to prevent extraordinary repair attempt not completed within 30 days of leak Description: detection for valve in HRVOC service (leaking <10,000 ppmv). Self Report? Classification: Moderate 30 TAC Chapter 115, SubChapter H 115.786(c) Citation: 5C THC Chapter 382, SubChapter D 382.085(b) Failure to submit reports of HRVOC fugitive emissions components that were Description: non-repairable (i.e. placed on delay of repair) to the TCEQ and local agency semi-annually as required until the report covering the period ending December 31, 2006. Classification: Moderate Self Report? NO 30 TAC Chapter 115, SubChapter H 115.764(a)(2) Citation: 5C THC Chapter 382, SubChapter D 382.085(b) Failure to collect samples for total VOC analysis while Polypropylene Unit #2 cooling Description: tower analyzer was out of calibration. Classification: Moderate Self Report? 30 TAC Chapter 117, SubChapter B 117.206(i) Citation: 5C THC Chapter 382, SubChapter D 382.085(b) Failure to prevent stationary diesel emergency engine tested between 6 am and 12 Description: noon. CN602817884 (607523)Date: 09/30/2007 Classification: Self Report? Moderate YES 2D TWC Chapter 26, SubChapter A 26.121(a) Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter Date: 11/15/2007 (653032)CN602817884

Self Report? Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter F 290.113(f)(4)

Description:

TOTAL TRIHALOMETHANES

Date: 02/08/2008 (652098)

CN602817884 Classification: Moderate Self Report?

30 TAC Chapter 290, SubChapter F 290.113(f)(4) Citation:

TOTAL TRIHALOMETHANES Description:

Date: 04/04/2008 (618108) CN602817884

Self Report? Classification: Moderate

30 TAC Chapter 116, SubChapter G 116.715(a) Citation:

5C THSC Chapter 382 382.085(b) No. 95, Special Condition 1 PERMIT

Failure to prevent unauthorized emissions due to operator error. Description:

Date: 07/15/2008 (681456) CN602817884

Moderate Self Report? Classification:

30 TAC Chapter 101, SubChapter F 101,221(a) Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)

5C THSC Chapter 382 382.085(b) Special Condition No. 8B PERMIT

Description: Failed to prevent the loss of flame at the flare.

Classification: Moderate Self Report?

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

5C THSC Chapter 382 382.085(b) Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions.

CN602817884 Date: 08/22/2008 (687895)

Classification: Moderate Self Report?

30 TAC Chapter 116, SubChapter B 116.115(c) Citation:

5C THSC Chapter 382 382.085(b) Special Condition #1 PERMIT

Failure to prevent flare malfunction. Description:

Classification: Moderate Self Report? . NO

30 TAC Chapter 116, SubChapter B 116.115(c) Citation:

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)

Special Condition #8,B PERMIT

Description: Failure to prevent the loss of flame on the flare.

Date: 10/31/2008 (710686)CN602817884

Classification: Moderate Self Report? YES

2D TWC Chapter 26, SubChapter A 26.121(a) Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

Failure to meet the limit for one or more permit parameter Description:

CN602817884 Date: 10/31/2008 (636605)

Classification: Minor Self Report? NO

30 TAC Chapter 115, SubChapter D 115.352(2)(C) Citation:

30 TAC Chapter 115, SubChapter H 115.782(c)(1)(C)(ii)

30 TAC Chapter 122, SubChapter B 122,143(4)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.171(d)(2)

5C THSC Chapter 382 382.085(b)

STC 1A OP

Description: Failure to repair four leaking pumps.

Self Report? Classification: Minor

30 TAC Chapter 115, SubChapter D 115.352(2) Citation:

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

STC 1A OP

Description: Failed to repair leaking components within 15 days.

NO Classification: Moderate Self Report?

Citation: 30 TAC Chapter 115, SubChapter H 115.786(c)

5C THSC Chapter 382 382.085(b) Failure to submit HRVOC Delay of Repair report.

Description: Classification: NO Self Report?

30 TAC Chapter 115, SubChapter H 115,782(c)(2)(A)(i) Citation:

5C THSC Chapter 382 382.085(b)

Failure to conduct Extra-Ordinary Efforts. Description:

Classification: Self Report? NO Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)

30 TAC Chapter 116, SubChapter B 116.115(c)

Minor

30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1) 5C THSC Chapter 382 382,085(b) SC 34E PA STC 19 PA Description: Failure to seal open ended lines. Self Report? Classification: Moderate Citation: 30 TAC Chapter 115, SubChapter D 115.354(2) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) SC 35F PA **STC 19 OP** Failure to conduct fugitive monitoring on 216 valves. Description: Self Report? Classification: Moderate Citation: 30 TAC Chapter 115, SubChapter D 115.352(2) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) STC 1A OP Description: Failure to verify leak repairs. Self Report? NO Classification: Minor Citation: 30 TAC Chapter 115, SubChapter H 115.788(c) 5C THSC Chapter 382 382.085(b) Description: Failure to provide 30 day notification prior to HRVOC Audit. Classification: Moderate Self Report? 30 TAC Chapter 116, SubChapter B 116.115(c) Citation: 30 TAC Chapter 122, SubChapter B 122,143(4) 5C THSC Chapter 382 382.085(b) SC 13 PA **STC 19 OP** Failure to maintain hourly NOX emissions within limits. Description: Self Report? Classification: Minor 30 TAC Chapter 115, SubChapter H 115.725(d)(3) Citation: 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) STC 1Hi OP Description: Failure to maintain flare analyzer downtime to less than 5%. Self Report? Classification: Minor NO 30 TAC Chapter 117, SubChapter B 117.310(c)(2) Citation: 5C THSC Chapter 382 382.085(b) Failure to maintain ammonia emissions less than 10 ppmv. Description: Self Report? Classification: Minor Citation: 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) SC 1 PA **STC 19 OP** Description: Failure to maintain ammonia emissions within the MAERT. Self Report? Classification: Minor 30 TAC Chapter 117, SubChapter B 117.300 Citation: 30 TAC Chapter 117, SubChapter B 117.340(d) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382 085(b) STC 1A OP Description: Failure to monitor ammonia slip. Self Report? Classification: Minor Citation: 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(4)(ii) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(7)(ii) 5C THSC Chapter 382 382.085(b) SC 11A PA STC 1A OP Description: Failure to maintain flare exit velocity less than Vmax. Self Report? Classification: Moderate 30 TAC Chapter 116, SubChapter B 116.115(c) Citation: 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3) 5C THSC Chapter 382 382.085(b) SC 11A PA STC 1A OP Description: Failure to maintain net heating content greater than 300 Btu/scf. Classification: Minor Self Report? NO

Citation: 30 TAC Chapter 117, SubChapter B 117.300

30 TAC Chapter 117, SubChapter B 117.335(a)(4) 30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

STC 1A OP

Failure to test engine within 60 days. Description:

Classification: Moderaté Self Report? NO

Citation: 30 TAC Chapter 117, SubChapter B 117.300 30 TAC Chapter 117, SubChapter B 117.310(c)(1)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

STC 1A OP

Failure to maintain CO emissions less than 400 ppmv. Description:

Classification: Moderate Self Report?

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

SC 1 PA **STC 19 OP** 

Description: Failure to maintain firing rates within limits.

Classification: Moderate Self Report?

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122,143(4)

5C THSC Chapter 382 382.085(b)

SC 4B PA

**STC 19 OF** 

Description: Failure to maintain boiler firing rate less than 388 mmbtu/hr.

Classification: Minor Self Report?

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)

SC 49 PA

**STC 19 OP** 

Failure to record vent stream flow to fiare. Description:

Self Report? Classification: Moderate

30 TAC Chapter 116, SubChapter B 116.115(c) Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

SC 1 PA

**STC 19 OP** 

Failure to maintain CO emissions within the MAERT. Description:

Classification: Moderate Self Report?

30 TAC Chapter 111, SubChapter A 111.111(a)(1)(A) Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

STC 3Ai OP

Description: Failure to prevent visible emissions from stationary vents.

Minor Classification: Self Report?

30 TAC Chapter 122, SubChapter B 122.143(4) Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1038(c)(2)(i)

5C THSC Chapter 382 382.085(b)

STC 1A OP

Description: Failure to maintain records of Audio, Visual, Olfactory (AVO) inspections.

Classification: Self Report?

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382,085(b)

SC 38 PA STC 19 OP

Failure to record time during ammonia AVO inspections Description:

Minor

Classification: Self Report?

Citation: 1A OP 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)

SC 3 PA

Description: Failure to maintain NOx emissions within limits

Classification: Minor Self Report?

30 TAC Chapter 117, SubChapter B 117.300 Citation:

30 TAC Chapter 117, SubChapter B 117.345(b)(2)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

STC 1A OP

Description: Fallure to submit PEMS RATA notification within 15 days.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.310(f)

30 TAC Chapter 122, SubChapter B 122,143(4)

5C THSC Chapter 382 382,085(b)

STC 7A OP

Description: Failure to prevent engine testing between 6 am and 12 noon.

Self Report? Classification: Minor

30 TAC Chapter 101, SubChapter F 101,201(a)(1)(B)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382 085(b)

STC 2F OP

Citation:

Description: Failure to submit Emission Event reports to local programs.

Date: 11/10/2008 (700448)CN602817884

Classification: Self Report? Moderate

30 TAC Chapter 116, SubChapter G 116.715(a) Citation:

5C THSC Chapter 382 382 085(b)

Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions.

Self Report? Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116,715(a)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)

5C THSC Chapter 382 382,085(b) Special Condition #11.B PERMIT

Description: Failed to prevent the loss of flame on the flare.

Date: 04/27/2009 (737963)CN602817884

Self Report? Classification: Moderate

30 TAC Chapter 116, SubChapter G 116,715(a) Citation:

> 5C THSC Chapter 382 382.085(b) Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions during an emissions event.

Date: 07/31/2009 (727445)CN602817884

Self Report? Classification: Moderate

2D TWC Chapter 26, SubChapter A 26.121(a) Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)

Failure to meet the limit for one or more permit parameter Description:

Date: 12/17/2009 (784082)CN602817884

Classification: Self Report? Moderate

30 TAC Chapter 116, SubChapter G 116.715(a) Citation: 5C THSC Chapter 382 382,085(b)

Special Condition 1 PERMIT

Description: Failure to prevent the unauthorized emissions. C-302 and C-501 compressors tripped

during level adjustments to the D-345 flash drums.

Date: 05/31/2010 (846251)CN602817884 Classification: Self Report? Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)

30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

Date: 08/05/2010 (747496)CN602817884

Self Report? Classification: Moderate

30 TAC Chapter 116, SubChapter B 116.116(a)(1) Citation:

5C THSC Chapter 382 382.085(b)

Description: Failure to limit Cogen HRSG boiler firing rate to 213 MMBtu/hr. Category B violation.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter T 106.454(1)(A)(ii) 5C THSC Chapter 382 382.085(b)

30 TAC Chapter 122, SubChapter B 122.143(4)

Description: Failure to maintain solvent make up records. Category C 3 violation.

Self Report? Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter E 115.412(2)(D)(i)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Description: Failure to maintain proper freeboard level on degreasers. Category C 7 violation. Classification: Moderate Self Report?

30 TAC Chapter 117, SubChapter B 117.340(a) Citation:

5C THSC Chapter 382 382,085(b) Failure to install fuel flow-meters, Category C 7 violation. Description:

Self Report? Classification:

Minor

30 TAC Chapter 115, SubChapter D 115.352(2)(C) Citation:

30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.171(d)(2) 5C THSC Chapter 382 382.085(b) Special Condition 1A OP Failure to repair two pumps on delay of repair (DOR), Category C 7 violation. Description: Classification: Self Report? Moderate 30 TAC Chapter 115, SubChapter D 115.352(4) Citation: 30 TAC Chapter 115, SubChapter H 115,783(5) 30 TAC Chapter 122, SubChapter B 122,143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b) 5C THSC Chapter 382 382.085(b) Special Condition 34E PA Special Conditions 1A, 18 OP Failure to cap/plug open-ended lines in VOC/HAPS/HRVOC service. Category C 10 Description: Self Report? NO Classification: Moderate 30 TAC Chapter 115, SubChapter D 115.352(2) Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(2) 30 TAC Chapter 116, SubChapter G 116.715(a) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(1) 5C THSC Chapter 382 382,085(b) Special Condition 34I PA Special Conditions 1A, 18 OP Description: Failure to repair valves on required time frame. Classification: Minor Self Report? Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A) 30 TAC Chapter 116, SubChapter G 116,715(a) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4) 5C THSC Chapter 382 382,085(b) Special Condition 11 PA Special Conditions 1A and 18 OP Description: Failure to operate flares without visible emissions. Minor Classification: Self Report? 30 TAC Chapter 111, SubChapter A 111,111(a)(1)(B) Citation: 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382 085(b) Special Condition 5(B)(i) OP Failure to operate waste gas units/furnaces within opacity limit. Category C 7 violation. Description: Classification: Moderate NO Self Report? 30 TAC Chapter 122, SubChapter B 122.132(e)(2)(A) Citation: 5C THSC Chapter 382 382.085(b) Failure to include T-301, T-304 vents in the new source performance standards (NSPS) Description: applicability in the Federal Operating Permit (FOP) #O-02327. Category C 7 violation. Classification: Minor Self Report? NΩ 30 TAC Chapter 117, SubChapter B 117.335(a)(4) Citation: 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 1A OP Failure to perform required initial engine test. Category C 1 violation. Description: NO Classification: Minor Self Report? 30 TAC Chapter 117, SubChapter B 117.310(f) Citation: 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 1A OP Description: Failure to conduct stationary emergency diesel engine test at a required time.

Self Report? NO Classification: Moderate

30 TAC Chapter 117, SubChapter B 117.310(c)(1) 30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382,085(b)

Special Condition 1A OP

Citation:

Description: Failure to maintain carbon monoxide (CO) less than 400 ppmv. Category B 14 violation.

Self Report? NO Ciassification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4) 5C THSC Chapter 382 382.085(b)

Description: Failure to sample a highly reactive volatile organic compound (HRVOC) analyzer.

Category C 1 violation.

Self Report?

Citation:

NO

Classification: Minor

Classification:

Classification:

Minor

Moderate

Minor

Moderate

Moderate

30 TAC Chapter 117, SubChapter G 117.8100(a)(1)(A)

30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(d)(1)

5C THSC Chapter 382 382.085(b)

Special Condition 1A OP

Description:

Failure to conduct continuous emission monitoring system (CEMS) daily zero span

Self Report?

Cltation:

30 TAC Chapter 115, SubChapter H 115.722(d)(2) 30 TAC Chapter 116, SubChapter G 116.715(a) 30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(4)(ii)

40 CFR Part 63, Subpart A 63.11(b)(7)(i) 5C THSC Chapter 382 382.085(b) Special Condition 11A PA Special Conditions 1A, 18 OP

Description:

Citation:

Failure to maintain flare velocity. CATEGORY C 4 violation.

Self Report?

30 TAC Chapter 115, SubChapter H 115,722(d)(1)

30 TAC Chapter 116, SubChapter G 116.715(a) 30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)

5C THSC Chapter 382 382.085(b) Special Condition 11A PA Special Conditions 1A, 18 OP

Description:

Failure to maintain flare hourly net heating value at 300 Btu/SCF.

Self Report?

Classification: Minor

Citation:

30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.166(a) 5C THSC Chapter 382 382.085(b)

Special Condition 1A OP

Description:

Failure to equip sample connection system with a closed-purge.

Self Report? Citation:

Classification: Minor

30 TAC Chapter 116, SubChapter G 116.715(a)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b) Special Condition 18 OP Special Condition 38 PA

Description:

Failure to maintain aqueous ammonia audio, visual, olfactory (AVO) record. Classification:

Self Report?

30 TAC Chapter 115, SubChapter H 115.781(a)

Citation: 5C THSC Chapter 382 382.085(b)

Failure to identify a component in highly-reactive volatile organic compound (HRVOC) Description:

service. Category C 7 violation.

Self Report?

Classification:

30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii) Citation: 5C THSC Chapter 382 382.085(b)

Failure to document time in the daily flare visible emission log. Category C 3 violation. Description:

Self Report?

Citation:

Citation:

Classification:

30 TAC Chapter 116, SubChapter G 116.715(a) 30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b) Special Condition 18 OP

Special Condition 43H PA

Description: Failure to demonstrate ninety five percent valid emission with predictive emission

Self Report?

monitoring system (PEMS). Category C 1 violation.

30 TAC Chapter 116, SubChapter G 116,715(a) 30 TAC Chapter 117, SubChapter G 117.8100(a)

30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)

Special Condition 41 PA Special Conditions 1A, 18 OP

Failure to continuously maintain and operate continuous emission monitoring system Description:

(CEMS), Category C 1 violation.

Self Report?

Classification: Moderate

Classification:

30 TAC Chapter 122, SubChapter B 122.143(4) Citation:

30 TAC Chapter 122, SubChapter B 122.145(2)(A)

5C THSC Chapter 382 382,085(b)

General Terms and Conditions OP

Description:

Citation:

Failure to submit a complete deviation report.

Self Report?

30 TAC Chapter 116, SubChapter G 116.715(a)

30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)

Special Condition 1 PA Special Condition 18 OP

Exceedence of hourly CO limit (MAERT) during relative accuracy test audit (RATA). Description:

Category B 14 violation.

Self Report?

Citation:

Citation:

30 TAC Chapter 115, SubChapter B 115.112(a)(2)(A) 30 TAC Chapter 116, SubChapter G 116.715(a) 30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT WW 63.1063(b)(3)

5C THSC Chapter 382 382.085(b) Special Condition 8 PA

Special Conditions 1A, 18 OP

Description:

Failure to close tank hatch. Category C 1 violation.

Self Report?

30 TAC Chapter 116, SubChapter G 116.715(a)

30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.999(a)(1)(iv)

5C THSC Chapter 382 382.085(b) Special Condition 8 PA Special Conditions 1A, 18 OP

Description:

Failure to submit an application to substitute a prior flare performance test within ninety

days. Category B 3 violation.

Date: 08/31/2010 (803098) CN602817884

Classification:

Classification:

Classification:

Classification:

Classification:

Moderate

Moderate

Minor

Minor

Minor

Moderate

Minor

Minor

Self Report?

30 TAC Chapter 115, SubChapter H 115.726(a)(1)(A)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

STC #1(A) OP

Description:

Citation:

Failure to maintain a copy of the flares (EPNs: P2FLARE, P-3POLY, and P4FLARE)

HRVOC monitoring Quality Assurance Plan (QAP), (Category C3)

Self Report?

Citation:

30 TAC Chapter 115, SubChapter H 115.766(i)(1)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Special Terms and Conditions #1(A) PERMIT

Failure to maintain a copy of the cooling towers (EPNs: P3CWT and P4CWT) HRVOC Description:

monitoring QAP which was deleted from the system. [Category C3]

Self Report?

NO

Classification: Minor

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)

5C THSC Chapter 382 382,085(b) Special Condition #8E PERMIT Special Terms and Conditions #1A OP Special Terms and Conditions #9 OP

Description: Failure to seal one (1) open-ended line discovered in the PP4 Unit. [Category C10]

Self Report?

Citation:

Citation:

Classification: NO 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382,085(b) Special Condition #8C PERMIT Special Terms and Conditions #1A OP Special Terms and Conditions #9 OP

Description:

Failure to prevent visible emissions at the P-3POLY flare. [Category B18]

Self Report?

30 TAC Chapter 115, SubChapter H 115.722(d)(1) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b) Special Condition #8A PERMIT Special Terms and Conditions #1A OP Special Terms and Conditions #9 OP

Description:

Failure to maintain the net heating content for the P-3POLY flare greater than 300

Btu/scf. [Category C4]

NO Self Report?

Classification:

Classification:

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Citation: 30 TAC Chapter 115, SubChapter H 115.722(d)(1)

30 TAC Chapter 116, SubChapter B 116,115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382,085(b) Special Condition #3A PERMIT Special Terms and Conditions #1A OP Special Terms and Conditions #9 OP

Failure to maintain the net heating content for the P4FLARE greater than 300 Btu/scf. Description:

[Category C4]

Self Report?

Classification: Minor

Citation:

30 TAC Chapter 117, SubChapter B 117.310(f) 30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b) Special Terms and Conditions #1A OP

Description:

Failure to prevent emergency generator (EPN:P4EMGEN) on October 29, 2009 from

Classification:

Classification:

Classification:

Moderate

Minor

Minor

operating between 6 a.m. and 12 noon. [Category C4]

Self Report?

30 TAC Chapter 122, SubChapter B 122.143(4)

Citation: 5C THSC Chapter 382 382 085(b)

General Terms and Conditions OP Special Terms and Condition#3(B)(Iv)(1) OP

Failure to conduct visible emission observations on stationary vents once during each Description:

quarter from April 1, 2009 through March 31, 2010. [Category B1]

Self Report?

Citation:

30 TAC Chapter 115, SubChapter D 115.352(4)

30 TAC Chapter 115, SubChapter H 115,783(5) 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition #5E PERMIT

Special Terms and Conditions #1A OP Special Terms and Conditions #9 OP

Description: Failure to seal six (6) open-ended lines discovered in the PP3 Unit. [Category C10]

Date: 08/31/2010

(849984)

CN602817884

Self Report?

Citation:

30 TAC Chapter 319, SubChapter A 319.7(a)

30 TAC Chapter 319, SubChapter A 319.7(c)

Failure to maintain a temperature log for the sample storage refrigerator. At the time of Description:

the inspection, a temperature log was not being maintained for the sample storage refrigerator. A log must be maintained to ensure the sample refrigerator is operating

properly.

F. Environmental audits.

> Notice of Intent Date: 04/30/2010

No DOV Associated

(803375)

G. Type of environmental management systems (EMSs).

N/A

Voluntary on-site compliance assessment dates. Η.

Participation in a voluntary pollution reduction program.

N/A

Early compliance.

N/A

Sites Outside of Texas

N/A

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
INEOS USA LLC	§	
RN100238708	§	ENVIRONMENTAL QUALITY

### AGREED ORDER DOCKET NO. 2011-0223-AIR-E

At its \_\_\_\_\_\_ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding INEOS USA LLC ("the Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this agreement to the Commission.

The Respondent understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, the Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon the Respondent.

The Commission makes the following Findings of Fact and Conclusions of Law:

#### I. FINDINGS OF FACT

1. The Respondent owns and operates a petrochemical plant at Farm-to-Market Road 2004, two miles south of the intersection of Farm-to-Market Road 2017 and Farm-to-Market Road 2004 in Alvin, Brazoria County, Texas (the "Plant").

- 2. The Plant consists of one or more sources as defined in Tex. Health & Safety Code § 382.003(12).
- 3. During a record review conducted October 22 through November 5, 2010, TCEQ staff documented that the Respondent failed to prevent low oil differential pressure on Compressor C-201, which resulted in a compressor trip and unauthorized emissions in the Olefins No. 1 Unit on September 29, 2010. During an emissions event (Incident No. 145451), lasting five hours and 20 minutes, the following unauthorized emissions were released from the Olefins 1 Flare: 4,128 pounds ("lbs") of volatile organic compounds ("VOC") including 1,657 lbs of ethylene and 500 lbs of propylene which are highly reactive VOCs ("HRVOC"), 3,869 lbs of carbon monoxide ("CO"), and 759 lbs of nitrogen oxides ("NO<sub>x</sub>"). Because the event could have been avoided by better operating or maintenance practices, the Respondent did not meet the affirmative defense in 30 Tex. ADMIN. CODE § 101.222.
- 4. During a record review conducted October 27 through November 10, 2010, TCEQ staff documented that the Respondent failed to prevent air from entering a cracked gas header resulting in unauthorized emissions in the Olefins No. 1 Unit on October 7, 2010. During an emissions event (Incident No. 145798), lasting four hours, the following unauthorized emissions were released from the Olefins 1 Flare: 3,345 lbs of CO, 4,616 lbs of the HRVOC ethylene, and 657 lbs of NO<sub>x</sub>. This event could have been avoided if the stream trap and associated block valves had been put on the isolation and blind list. Because the event could have been avoided by better operating practices, the Respondent did not meet the affirmative defense in 30 Tex. Admin. Code § 101.222.
- 5. During an investigation conducted November 10 through 19, 2010, TCEQ staff documented that the Respondent failed to prevent upon startup, to reopen the isolation valve on one of the two ports of the Buffer Gas Flowmeter for the C-201 Cracked Gas Compressor which resulted in erroneously high readings and unauthorized emissions in the Olefins No. 1 Unit on October 9, 2010. During the emissions event (Incident No. 145856), lasting 11 hours, the following unauthorized emissions were released from the Olefins 1 Flare: 17,501 lbs of CO, 14,849 lbs of the HRVOC ethylene, 699 lbs of the HRVOC propylene, and 3,435 lbs of NO<sub>x</sub>. Because the event could have been avoided by better operating practices, the Respondent did not meet the affirmative defense in 30 Tex. Admin. Code § 101.222.
- 6. During an investigation conducted on November 10, 2010, TCEQ staff documented that the Respondent failed to prevent an on-site contractor from miscoding a selector switch in the Acetylene Converter interlock system, resulting in the tripping of the Olefins No. 2 Unit on October 13, 2010. During the emissions event (Incident No. 146027), lasting 16 hours, the following unauthorized emissions were released from the Olefins 2 Flare: 15,748 lbs of CO, 16,299 lbs of the HRVOC ethylene, and 3,091 lbs of NO<sub>x</sub>. Because the event could have been avoided by better operating practices, the Respondent did not meet the affirmative defense in 30 TEX. ADMIN. CODE § 101.222.
- 7. During a record review conducted on December 9, 2010, TCEQ staff documented that the Respondent failed to conduct the initial performance tests on the Olefins 1 and 2 Flares when they became subject to 40 CODE OF FEDERAL REGULATIONS ("C.F.R.") Part

- 63, Subpart FFFF regulations on May 10, 2008. Although the flares had been stack tested in 2000, it was determined that the 2000 tests reports were not adequate to determine compliance with the 2008 rules.
- 8. During an investigation conducted October 27, 2010, TCEQ staff documented that the Respondent failed to prevent air from entering a cracked gas header due to operator error resulting in unauthorized emissions in the Olefins Nos. 1 and 2 Units on October 10, 2010. During the emissions event (Incident No. 145871), lasting 18 hours, the following unauthorized emissions were released from the Olefins 1 and 2 Flares: 41,093 lbs of the HRVOC ethylene, 48,069 lbs of CO, and 9,433 lbs of NO<sub>x</sub>. The event was due to the board operator failing to open a motor operated valve during the startup of Furnace DB-104. Air entered the cracked gas stream through the furnace, resulting in a temperature increase in the OL 1 DR-202 Acetylene reactor causing the automatic shutdown of the reactor and flaring of off-specification ethylene. The event was determined to be excessive.
- 9. The Respondent received notices of the violations on January 7, 10, 13, and 18, 2011 and February 7, 2011.
- 10. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:
  - a. To prevent the recurrence of the September 29, 2010 emissions event (Incident No. 145451), the following were completed by December 1, 2010:
    - i. Sent Valve DPV-2215 for evaluation and testing during the DC-201 seal repair;
    - ii. Lowered the first stage oil seal differential trip point from 20 pounds per square inch gauge ("psig") to 12 psig to enable more room for differential pressure swings; and
    - iii. Checked control valve DFCB210 to ensure it stroked properly during the DC-201 seal repair.
  - b. To prevent the recurrence of the October 7, 2010 emissions event (Incident No. 145798), DB-104 Isolation and Blind List was corrected on November 15, 2010;
  - c. To prevent the recurrence of the October 9, 2010 emissions event (Incident No. 145856), the following were completed on February 10, 2011:
    - i. Installed a visual aid on the buffer gas meter to illustrate the minimum and maximum operating conditions; and
    - ii. Updated the Standard Operating Procedures for C-201 to include the normal operating conditions on the seal oil and buffer gas systems.

d. To prevent the recurrence of the October 13, 2010 emissions event (Incident No. 146027), completed modifying the inlet temperature override controls to employ a "push" cascade structure and completed looking for other Distributed Control System points with the same function to ensure that the initialization flag is transmitted properly on January 13, 2011.

#### II. CONCLUSIONS OF LAW

- 1. The Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7 and the rules of the Commission.
- 2. As evidenced by Findings of Fact No. 3, the Respondent failed to prevent unauthorized emissions in the Olefins No. 1 Unit on September 29, 2010 (Incident No. 145451), in violation of 30 Tex. Admin. Code §§ 101.20(3) and 116.715(a); Flexible Permit Nos. 95 and PSD-TX-854M2, Special Condition No. ("SC") 1; and Tex. Health & Safety Code § 382.085(b).
- 3. As evidenced by Findings of Fact No. 4, the Respondent failed to prevent unauthorized emissions in the Olefins No. 1 Unit on October 7, 2010 (Incident No. 145798), in violation of 30 Tex. ADMIN. CODE §§ 101.20(3) and 116.715(a); Flexible Permit Nos. 95 and PSD-TX-854M2, SC 1; and Tex. Health & Safety Code § 382.085(b).
- 4. As evidenced by Findings of Fact No. 5, the Respondent failed to prevent unauthorized emissions in the Olefins No. 1 Unit on October 9, 2010 (Incident No. 145856), in violation of 30 Tex. ADMIN. CODE §§ 101.20(3) and 116.715(a); Flexible Permit Nos. 95 and PSD-TX-854M2, SC 1; and Tex. Health & Safety Code § 382.085(b).
- As evidenced by Findings of Fact No. 6, the Respondent failed to prevent unauthorized emissions in the Olefins No. 2 Unit on October 13, 2010 (Incident No. 146027), in violation of 30 Tex. ADMIN. CODE §§ 101.20(3) and 116.715(a), Flexible Permit Nos. 95 and PSD-TX-854M2 SC 1, and Tex. Health & Safety Code § 382.085(b).
- 6. As evidenced by Findings of Fact No. 7, the Respondent failed to conduct the initial performance tests on the Olefins 1 and 2 Flares when they became subject to 40 C.F.R. Part 63, Subpart FFFF regulations on May 10, 2008, in violation of 30 Tex. Admin. Code §§ 101.20(2), 101.20(3), 116.715(a), and 122.143(4); Flexible Permit Nos. 95 and PSD-TX-854M2, SC 8; Federal Operating Permit O-02327, Special Terms and Conditions 1.A. and 18.A.; 40 C.F.R. § 63.987(b)(1); and Tex. Health & Safety Code § 382.085(b).
- 7. As evidenced by Findings of Fact No. 8, the Respondent failed to prevent unauthorized emissions in the Olefins Nos. 1 and 2 Units on October 10, 2010 (Incident No. 145871), in violation of 30 Tex. Admin. Code §§ 101.20(3) and 116.715(a); Flexible Permit Nos. 95 and PSD-TX-854M2, SC 1; and Tex. Health & Safety Code § 382.085(b).
- 8. Pursuant to Tex. Water Code § 7.051, the Commission has the authority to assess an administrative penalty against the Respondent for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for

violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.

9. An administrative penalty in the amount of Fifty-Nine Thousand Five Hundred Twenty Dollars (\$59,520) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in Tex. Water Code § 7.053. The Respondent has paid the Fifty-Nine Thousand Five Hundred Twenty Dollar (\$59,520) administrative penalty.

#### III. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed an administrative penalty in the amount of Fifty-Nine Thousand Five Hundred Twenty Dollars (\$59,520) as set forth in Section II, Paragraph 9 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: INEOS USA LLC, Docket No. 2011-0223-AIR-E" to:

Financial Administration Division, Revenues Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. The Respondent shall undertake the following technical requirements:
  - a. For the October 9, 2010 emissions event (Incident No. 145856) to prevent recurrence of a similar emissions event:
    - i. Within 30 days after the effective date of this Agreed Order, complete training that details the interaction between the buffer gas system and seal oil shutdown; and
    - ii. Within 45 days after the effective date of this Agreed Order, submit written certification to demonstrate compliance with Ordering Provision No. 2.a.i. as described in Ordering Provision No. 2.d.
  - b. For failing to conduct the initial performance tests on the Olefins 1 and 2 Flares:
    - i. Within 45 days after the effective date of this Agreed Order, conduct the initial performance tests on the Olefins 1 and 2 Flares, as required by 40 C.F.R. Part 63, Subpart FFFF; and

- ii. Within 90 days after the effective date of this Agreed Order, submit copies of the performance tests on the Olefins 1 and 2 Flares to the addresses listed in Ordering Provision No. 2.d.
- c. For the October 10, 2010 excessive emissions event (Incident No. 145871) to prevent recurrence of a similar emissions event:
  - i. Comply with the TCEQ request dated February 1, 2011 for submittal of a corrective action plan ("CAP") to address this excessive emissions event in accordance with 30 TEX. ADMIN. CODE § 101.223(a)(1);
  - ii. Respond completely and adequately, as determined by the Executive Director, to all written requests for information concerning the submitted CAP in connection with the excessive emission events within 15 days after the date of such requests, or by any other deadline specified in writing;
  - iii. Upon Commission approval, implement the CAP in accordance with the approved schedule; and
  - iv. Within 15 days upon completion of the CAP implementation, submit written certification to demonstrate compliance with Ordering Provision Nos. 2.c.i. though 2.c.iii. as described in Ordering Provision No. 2.d.
- d. The written certifications required by Ordering Provision Nos. 2.a.ii. and 2.c.iv. shall be as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team Enforcement Division, MC 149A Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

with a copy to:

Air Section, Manager Houston Regional Office Texas Commission on Environmental Quality 5425 Polk Avenue, Suite H Houston, Texas 77023-1486

- 3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
- 4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
- 5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
- 6. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
- 7. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
- 8. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
- 9. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature

affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under Tex. Bus. Org. Code § 1.002.

10. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 Tex. Admin. Code § 70.10(b) and Tex. Gov't Code § 2001.142.

INEOS USA LLC

## SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission	_
John Szellen	6/30/2011
For the Executive Director	Date
USA LLC. I am authorized to agree to the a	d the attached Agreed Order in the matter of INEOS ttached Agreed Order on behalf of INEOS USA LLC, anditions. I further acknowledge that the TCEQ, in a materially relying on such representation.
procedural rights, including, but not limited by this Agreed Order, notice of an evidentia the right to appeal. I agree to the terms of	Agreed Order, INEOS USA LLC waives certain to, the right to formal notice of violations addressed ary hearing, the right to an evidentiary hearing, and the Agreed Order in lieu of an evidentiary hearing adjudication by the Commission of the violations set
<ul> <li>and/or failure to timely pay the penalty amo</li> <li>A negative impact on compliance his</li> <li>Greater scrutiny of any permit applie</li> <li>Referral of this case to the Attorn additional penalties, and/or attorney</li> <li>Increased penalties in any future enformation.</li> <li>Automatic referral to the Attorney and</li> <li>TCEQ seeking other relief as authoric</li> </ul>	story; cations submitted; ey General's Office for contempt, injunctive relief, y fees, or to a collection agency; forcement actions; General's Office of any future enforcement actions;
Signature	5/11/2011 Date
Name (Printed or typed) Authorized Representative of	CBW SITE MANAGER

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section III, Paragraph 1 of this Agreed Order.

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